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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2625 of 2018**

1. Aashish Jaiswal S/o Shri Harishchandra Jaiswal Aged About 43 Years
Caste- Kalar, R/o- Gandhi Nagar, Behind Balram Talkies P.S. Civil Lines,
Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh
2. Pulkit Akash Banwar S/o Late P.A. Banwar Aged About 41 Years Caste-
Christian R/o- Om Nagar, Jarhabhata, Near Little Flower School, P.S.- Civil
Line Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh
3. Pradyuman Kumar Sahoo @ Jeepu S/o Prasanna Kumar Sahoo Aged
About 30 Years R/o- Etkan Chanli, Post- Ghughudipara, P.S.- Daskala,
District- Nayagarh, Orissa, Chhattisgarh. Present R/o- Kalindi Kunj, Ring
Road No. 2 H/o Jayant Agrawal, P.S.- Civil Line, Tehsil And District- Bilaspur,
District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Dharmendra Singh Yadav S/o Shri Ram Singh Yadav Aged About 40 Years
Caste- Ahir R/o Madail, P.S.- Saini, District- Kosambi (U.P.) Presently R/o
Parijat Colony Qr. No. 06, Block- F Near Janpad Mandir, Neharu Nagar,
P.S.- Civil Line Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh.,
District : Bilaspur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station-
Chirmiri, Civil And Revenue District- Koriya, Chhattisgarh, District : Koriya
(Baikunthpur), Chhattisgarh.

---- Respondent

And

M.Cr.C. No. 2635 of 2018

1. Aashish Jaiswal Shri Harishchandra Jaiswal Aged About 43 Years Caste- Kalar R/o- Gandhi Nagar, Behind Balram Talkies P.S.- Civil Lines, Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Pulkit Akash Banwar S/o Late P.A. Banwar Aged About 41 Years Caste- Christian R/o- Om Nagar, Jarhabhanta, Near Little Flower School, P.S.- Civil Line, Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Pradyuman Kumar Sahoo @ Jeepu S/o Prasanna Kumar Sahoo Aged About 30 Years Caste- Sundhi, R/o- Etkan Chanli, Post- Ghughudipara, P.S. Daskala, District- Nayagarh, Orissa. Present R/o- Kalindi Kunj, Ring Road No. 2 H/o Jayant Agrawal P.S.- Civil Line Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Dharmendra Singh Yadav S/o Shri Ram Singh Yadav Aged About 40 Years Caste- Ahir, R/o- Madail, P.S. Saini District- Kosambi (U.P.) Presently R/o Parijat Colony Qr. No. 06, Block- F Near Janpad Mandir, Neharu Nagar, P.S.- Civil Line, Tehsil And District- Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Manendragarh, Civil And Revenue District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicants : Shri Adil Minhaj, Advocate.

For the Respondent/State : Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27.04.2018.

1. Both the applications are heard and decided together by this common, order, as both the bail applications are arising out the same offences.
2. These are the second bail applications for grant of bail to the applicants who have been arrested in connection with Crime No. 79/2016 registered at Police Station – Chirmiri and in connection with crime No. 336/2016 registered at Police Station – Manendragarh, District – Koriya, (C.G), for the offences under Sections 420/34 of IPC and Sections 4 & 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 and Section 10 of C.G. Protection of Depositors Interest Act, 2005.
3. The first bail applications of all these applicants have been rejected on merits by this Court on 28.11.2017.
4. It is submitted on behalf of the applicants that this is the second bail application filed on account of change in circumstances. Firstly the main accused- (Sunil Kumar Panda) have been granted bail by the Supreme Court of India. Secondly, all the applicants had been discharged from the offence under Section 10 of C.G. Protection of Depositors Interest Act, 2005, hence, the case is now triable by JMFC. It is submitted that all the applicants are local resident of District – Koriya, and are ready to abide by all the conditions which may be imposed while granting bail to all the applicants, therefore, it is prayed that they may be released on bail.
5. Learned counsel for the State opposes the bail application and submits that as earlier the first bail application of these applicants

have been rejected on merits, hence, no case is made out for grant of bail.

6. Heard counsel for both the parties and perused the case diary.
7. Earlier the first bail application of all the applicants along-with co-accused- (Sunil Kumar Panda) was decided by the common order on 28.11.2017, all the bail applications were rejected on merits.
8. Considering the submission made, contents of the case diary and taking into consideration this fact that accused- (Sunil Kumar Panda) have been granted bail by the Supreme Court of India and after discharge of the applicants from the offence under Section 10 of C.G. Protection of Depositors Interest Act, 2005, now the case is triable by JMFC, and all the applicants are in jail since 27.08.2017 and they are local resident of district- Koriya, hence, looking to the pendency of the trial against these applicants, this Court is of the opinion that this is a fit case, where the applicants in both the cases should be released on bail.
9. Consequently, both the applications (**M.Cr.C. No. 2625 of 2018 and M.Cr.C. No.2635 of 2018**) filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd /-
(Rajendra Chandra Singh Samant)
Judge