

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1064 of 2019

- Chatresh Rawat S/o Shri Devi Prasad Rawat Aged About 26 Years R/o Village Negwa, Police Station and Tahsil Maharajpur, Civil and Revenue District- Chhatarpur, Madhya Pradesh. ---- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Dikpa, District- Korba, Chhattisgarh. ----**Non-applicant**

For Applicant : Mr. Nitesh Shrivastava, Advocate

For Respondent/State : Mr. Aman Kesharwani, PL

Hon'ble Smt. Vimla Singh Kapoor

Order On Board

05/03/2019

Heard the matter finally.

2. This is the Second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No. 162/2018, registered at Police Station – Dipka, District Korba (C.G.) for offence punishable under Sections 420, 467, 468, 471/34 Indian Penal Code.

3. The first bail application was rejected vide order 31.10.2018 in MCRC No. 8260 of 2018.

4. Case of the prosecution in brief is that on 11.08.2018 a written report was lodged to the effect that the applicant received a telephonic call from the co-accused that he was required to deposit a sum of Rs. 1,84,000/- for receiving the maturity amount towards the insurance plan. The allegation against the applicant is that he withdrew an amount through the cheque from the bank and gave the same to co-accused Prashant Pathak and for that he got Rs. 4,000/- as commission.

5. Counsel for the applicant submits that the similarly situated accused persons have already been granted bail by Co-ordinate bench of this High Court vide order dated 15.01.2019 in MCRC No. 9590/2019 and 15.02.2019 in MCRC No. 745/2019 therefore, the present applicant may be enlarged on bail.

6. On the other hand, State counsel opposes the bail application.

7. I have heard learned counsel for the parties and perused the record.

8. Considering the fact that the similarly situated accused persons have already been granted bail by Co-ordinate bench of this High Court vide order dated 15.01.2019 in MCRC No. 9590/2019 and 15.02.2019 in MCRC No. 745/2019, this Court is of the opinion that it is a fit case to release the applicant on bail.

9. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing two solvent sureties for a sum of Rs. 25,000/- along with a personal bond in the sum of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not commit such type of offence in future.

Certified copy as per rules.

Sd/-
(Vimla Singh Kapoor)
Judge