

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3899 of 2019**

Rajesh Kumar Rai, S/o Lalji Rai, aged about 50 years, permanent R/o Village Khaura, House No.152, Post Baurova, Saidpur, District Gajipur (Uttar Pradesh).

---- Applicant**Versus**

State of Chhattisgarh, through District Magistrate, Durg, District Durg (CG).

---- Non-applicant

For Applicant	: Mr. Avinash Chand Sahu, Advocate
For Non-applicant/State	: Mr. Dinesh Kumar Tiwari, Govt. Advocate
For Complainant	: Mr. Kaushal Yadav, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

19.08.2019

1. This is second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.213/2015 registered at Police Station Supela, District Durg for the offence punishable under Sections 420, 467, 468, 471, 120-B, 34 of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 16.11.2018 passed in M.Cr.C. No.6899/2018.
3. Case of the prosecution in brief is that the applicant and co-accused started a permanent office of the company namely Vaibhav Pariwar India Project Limited. The applicant is Director of the said company. Applicant and other sic co-accused allured the people to invest money in the said company which would be doubled in short time. 114 persons deposited Rs.67,41,000/- in the said company. The company issued bonds to the depositors. On due date, the said company did not pay the amount to the depositors.
4. Counsel for the applicant submitted that the applicant is an innocent person and has been falsely implicated in the present case. He further submitted that the applicant is in jail since 25.11.2018. 37 complainants have filed their affidavit in support of applicant. In support

of his case, he drew my attention on the alleged agreement dated 11.03.2019. He placed reliance the order dated 11.05.2017 passed by co-ordinate bench of this Court in M.Cr.C. No.2568/2017 (**Rakesh Pandey Vs. State of Chhattisgarh**).

5. On the other hand, counsel for the State opposed the bail application.

6. There is no legal principle has been laid down in the matter of **Rakesh Pandey** (supra).

7. Looking to the above mentioned facts and circumstances of the case and looking to this fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in the second round of litigation. Consequently, the second bail application is rejected.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-