

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4679 of 2019**

Dinesh Agrawal, S/o Jwala Prasad Agrawal, aged about 34 years, R/o Village Silhati, P.S. Lohara, District Kabirdham (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, P.S. Gandai, District Rajnandgaon (CG).

---- Non-applicant

For Applicant	: Mr. Abhishek Pandey, Advocate
For Non-applicant	: Mr. Devesh Chandra Verma, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****20.08.2019**

1. This is the 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.46/2019 registered at Police Station Gandai, District Rajnandgaon for the offence punishable under Sections 420, 471 of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 25.04.2019 passed in M.Cr.C. No.1777/2019 considering prima facie case against the applicant.
3. Prosecution story in brief is that applicant projected himself as director of Serena Foundation. He promised 32 to 33 persons to provide job in Serena Foundation. He also obtained Rs.11,000/- from each candidate as security. Thereafter candidates got appointment orders. After 2-3 months they did not get salary. The applicant closed office and absconded. The applicant also obtained handsome amount from some candidates by giving them assurance that he will provide them loan from bank, but he did not do so.
4. Counsel for the applicant submitted that the applicant is an

innocent and has been falsely implicated in the present case. He further submitted that the applicant is ready to deposit Rs.2,00,000/- in the trial Court. The applicant is in jail since 10.02.2019 and charge has not been framed yet and there is a delay in trial, thus the applicant may be released on bail.

5. On the other hand, counsel for the State opposed the bail application. He further submitted that no criminal antecedent is reported against the applicant in police case diary.

6. Mere period of detention and delay in trial are not sufficient grounds for release the applicant on bail in second round of litigation.

7. Looking to the above 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.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-