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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1544 of 2018

- Ravi Kumar Rajak S/o Mr. Shankar Lal Rajak, Aged About 28 Years, R/o Village Hunkara, Tehsil Katghora, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Bankimogra, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

MCRC No. 8094 of 2018

- Ratan Lal Rajak S/o Shri Anand Aged About 43 Years, R/o Village-Dhavaipur, Police Station and Tahsil- Katghora, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station-Bankimongra, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

MCRCA No. 1523 of 2018

- Ravi Kumar Rajak S/o Mr. Shankar Lal Rajak, Aged About 28 Years, R/o Village Hunkara, Tahsil Katghora, District - Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Dipka, District - Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

MCRCA No. 1497 of 2018

- Ravi Kumar Rajak S/o Mr. Shankar Lal Rajak, Aged About 28 Years, R/o Village Hunkara, Tehsil Katghora, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Dipka, District Korba Chhattisgarh, District : Korba, Chhattisgarh

----Non-applicant

MCRCA No. 1499 of 2018

- Ravi Kumar Rajak S/o Mr. Shankar Lal Rajak, Aged About 28 Years, R/o Village Hunkara, Tehsil Katghora, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Dipka, District Korba
Chhattisgarh, District : Korba, Chhattisgarh

----Non-applicant

For Applicant – Shri Raza Ali, Advocate (in MCRC No.1544 of 2018, MCRC No.1523 of 2018, MCRC No. 1497 of 2018, MCRC No.1499 of 2018) and in MCRC No.8094 of 2018 on behalf of Shri Nitesh Shrivastava, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.
Shri Kalpesh Ruparel, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

02-01-2019

1. Applicant Ravi Kumar Rajak has filed MCRC No.1544 of 2018, MCRC No.1523 of 2018, MCRC No.1497 of 2018 and MCRC No.1499 of 2018 as he is apprehending arrest in connection with the following crime numbers registered at the police stations mentioned below for the offences under Section 420, 467, 468, 471/34 of the IPC :-

S.No.	MCRC No.	Crime Number	Police Station
1.	MCRC No. 1544 of 2018	136/2018	Bankimogra, District Korba, Chhattisgarh
2.	MCRC No. 1523 of 2018	135/2018	Dipka, District - Korba, Chhattisgarh
3.	MCRC No. 1497 of 2018	143/2018	Dipka, District - Korba, Chhattisgarh
4.	MCRC No. 1499 of 2018	146/2018	Dipka, District - Korba, Chhattisgarh

2. Applicant Ratan Lal Rajak has filed MCRC No.8094 of 2018 under Section 439 of the Cr.P.C for grant of regular bail. This applicant has been arrested on 31-07-2018 in connection with Crime No.136/2018 registered at P.S. - Bankimogra, District Korba, Chhattisgarh for the offence under Section 420, 467, 468, 471, 34 of the IPC.

3. It is submitted by learned counsel for the applicants that the applicants have been falsely implicated in these cases. The main accused in this case is Shankar Lal Rajak is the person who gave inducement and received all the amount from the persons cheated, therefore, no case is made out against these applicants. Hence, it is prayed that applicant Ravi Kumar Rajak may be

benefited with grant of anticipatory bail in all the aforesaid cases and applicant Ratan Lal Rajak may be granted regular bail in the case registered against him.

4. Learned counsel for the State/non-applicant opposes the applications submitting that according to the evidence present in the case diary, both these applicants have played active role in giving inducement to the various persons cheated, hence, no case is made out for grant of regular bail or anticipatory bail. Hence, their applications may be rejected.

5. Learned counsel for the objector after adopting the argument advanced by the State counsel submits that looking to the allegations made against these applicants, the applications may be rejected.

6. Heard learned counsel for the parties and perused the case diary.

7. The complaints made in all the cases are similar in nature, in which, it is alleged that that main accused Shankar Lal Rajak along with his sons Ravi Kumar Rajak (applicant in MCRCA No.1544 of 2018, MCRCA No.1523 of 2018, MCRCA No.1497 of 2018 and MCRCA No.1499 of 2018) and Ajay Rajak met with the complainants in all the cases and gave inducement that if they made purchase of land that is to be acquired by SECL for Saraipali and Budbud mines, they will be benefited by way of getting appointment for their siblings and thus convincing the complainants all of them received huge amounts for sale of land from complainants in all the cases. It is also alleged that the main accused and his sons produced some forged documents to convince the complainants. No sale deed was executed in favour of the complainants after receipt of the amount of consideration from them. The allegation against applicant Ratan Lal Rajak (applicant in MCRC No.8094 of 2018) is this, that he was associate of Shankar Lal Rajak.

8. Considered on the entire material present in the case diary. It is a case of multiple commission of crime in which the complainants have been cheated of huge amount, in which applicant Ravi Kumar Rajak (applicant in MCRCA

No.1544 of 2018, MCRCA No.1523 of 2018, MCRCA No.1497 of 2018 and MCRCA No.1499 of 2018) appears to have participated actively with the main accused Shankar Lal Rajak. Hence, after due consideration, I do not feel inclined to grant anticipatory bail to this applicant in these cases.

9. Accordingly, the anticipatory bail applications (MCRCA No.1544 of 2018, MCRCA No.1523 of 2018, MCRCA No.1497 of 2018 and MCRCA No.1499 of 2018) filed by applicant Ravi Kumar Rajak are rejected.

10. Considering on the prayer made by applicant Ratan Lal Rajak (applicant in MCRC No.8094 of 2018), I am of this opinion that as he in jail since quite some time and he is not the person against whom the complainants have made any direct allegations, he is entitled for grant of regular bail.

11. Consequently, MCRC No.8094 of 2018 filed by applicant Ratan Lal Rajak under Section 439 of the Cr.P.C. for grant of regular bail is allowed. It is directed that this applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

12. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge