

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 411 of 2020**

- Rupdhar Choudhary, S/o Shri Ganesh Ram Choudhary, Aged About 44 Years, R/o Village Rajasevayya, Police Station - Pithoura, District - (Revenue & Civil) Mahasamund Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station - Saraypali, District - Mahasamund Chhattisgarh.

---- Respondent**With****MCRC No. 800 of 2020**

- Nimesh Patel, S/o Shri Babulal Patel, Aged About 19 Years, R/o Village - Banigiroula, Police Station - Saraypali, Tahsil - Saraypali, District - (Revenue & Civil) - Mahasamund Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station - Saraypali, District - Mahasamund Chhattisgarh.

---- Respondent**With****MCRC No. 820 of 2020**

- Tankdhar Patel, S/o Shri Jangi Patel, Aged About 42 Years, R/o Village- Banigiroula, Police Station- Saraypali, Tahsil- Saraypali, District- (Revenue & Civil)- Mahasamund Chhattisgarh.

----Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station- Saraypali, District- Mahasamund Chhattisgarh.

---- Respondent

For Applicants : Shri Yogesh Pandey along with
Shri Abhishek Sinha, Adv.

For Respondent/State : Shri Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.03.2020**

1. As all three MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 340/2019 registered at Police Station- Saraypali, District- Mahasamund, (C.G.) for the offence punishable under Sections 420, 467, 468 and 471 r/w Section 34 of IPC & Sections 4, 5 and 6 of the Prize & Money Circulation Schemes (Banning) Act, 1978.
3. The prosecution story, in brief is that, complainant Jafar Ullah lodged a report stating that one Tunkdhar Patel took one room on rent at Saraypali and indulge in operating schemes known as Just999 under which he used to collect Rs 999/- by making them member and indulge in chain marketing and also gave assurance of getting bike or motorcycle or if they deposit Rs. 2,00,000/- then they will give car. Thereafter, offence has been registered against the present applicants.
4. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. They further submit that charge-sheet has been filed. The applicant named Rupdhar Choudhary is in jail since 18.11.2019 and the applicants named Nimesh Patel and Tankdhar Patel are in jail since 04.11.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence,

facts and circumstances of the case, detention period of the applicants and further considering the facts charge-sheet has been filed as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi