

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1685 of 2020**

- Abhineet Yadav, S/o Harkesh Bahadur Yadav, Aged about 28 years, R/o Faredpur, Thana and Tahsil Kunda, District Pratapgarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : Police Station Jhagrakhand, District Koriya (Baikunthpur) (C.G.)

---- Respondent

For Applicant	:	Mr. Akath Kumar Yadav, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/08/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 16/2019 registered at Police Station- Jhagrakhand (C.G.) for the offence punishable under Sections 420, 467, 468, 120-B read with Section 34 of the IPC.
4. The first bail application of the applicant was dismissed on merit vide order dated 03.12.2019 by the Hon'ble Court passed in MCRC No. 6668/2019.
5. The prosecution story, in brief is that, the allegation against the applicant is that the present applicant with other co-accused persons assured the complainant for providing job to the post of Ticket Collector in Railway, for that, they had taken amount of Rs. 10,00,000/- from the complainant but no job was provided to him. Thereafter, offence has been registered against the applicant and he was arrested.

6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that there is no direct evidence found against the present applicant and he is in jail since 03.07.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
7. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious nature, therefore, no case is made out for grant him bail.
8. I have heard learned counsel for the parties and perused the case diary.
9. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant i.e. 03.07.2019 which is more than one year and further considering the facts that the offences are triable by Judicial Magistrate First Class 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 applicant on bail. Accordingly, the application is allowed.
10. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/- (one lakh), with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

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