

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3517 of 2020**

- Navakor Emanuel Gosain, S/o Gosain Navakor, Aged About 29 Years, R/o S.No. 07, Yusuf Asada Logo State Nigeria, Present Address- 40 Feet Road, Chadakya Place, P.S.- Dabri, District- South West, New Delhi.

---- Applicant**Versus**

- State of Chhattisgarh, Through- S.H.O., Police Station- City Kotwali- Rajnandgaon, District- Rajnandgaon (C. G.).

---- Respondent

For Applicant	:	Mr. Hemant Gupta, Adv.
For Respondent/State	:	Mr. Vimlesh Bajpai, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.09.2020**

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. 679/2018 registered at Police Station- City Kotwali- Rajnandgaon, District- Rajnandgaon (C.G.) for the offence punishable under Sections 420, 34 of IPC & Section 66 of I.T. Act.
4. The first bail application of the applicant was dismissed as withdrawn with liberty to revive the same after examination of the complainant vide order dated 23.03.2020 passed in MCRC No.397/2020.
5. The prosecution story, in brief is that, complainant Sunita

Arya lodged an FIR stating that she met with one Devid Suryayan on facebook and thereafter they exchanged their numbers. Thereafter, on the pretext of giving gifts to her and her family, a sum of Rs. 43,78,065/- has been deposited by the complainant in the given account numbers. Based on this, offence has been registered. Present applicant has been taken into custody on 14.08.2019.

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 previous criminal record of the applicant and the accounts concerned in this case, were not belonging to the present applicant. The applicant is in jail since 14.08.2019, 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 submitting that mobile and laptop have been recovered from the possession of the applicant and other co-accused person. Therefore, the offence committed by the applicant is of serious in nature, so, it is not a fit case to release him on bail.
8. I have heard learned counsel for the parties and perused the case diary.
9. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
10. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

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