

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5067 of 2020**

- Vinay Yadav S/o Shyamvaran Yadav aged about 19 years, R/o Sikhara P.S. Matsena District-Firozabad, U.P.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Station Torwa, District-Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dheerendra Pandey, Adv.
For Respondent/State	: Mr. H. S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/09/2020**

1. The accused/applicant has moved this **third bail** application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 290/2019 registered at Police Station Torwa, District-Bilaspur (C.G.) for the offence punishable under Sections 419, 420, 120B, 467, 468 and 471 of the IPC.
2. The second bail application of the applicant was dismissed with liberty to file at an appropriate stage by this Court on 15.11.2019 in MCRC No. 6104/2019 along with MCRC No. 6056/2019.
3. The prosecution story in brief, is that from 26.08.2019 to 28.08.2019, the recruitment process was going on, for the post of railway protection force constable, at the same time before sending in the medical examination, it was found that Vinay Yadav had appeared for the test in place of the candidate Lavkush Yadav, during the investigation it was also found that the attendee was not appeared in the physical and written test. Based on this offence has been registered against

the applicant.

4. 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 the co-accused has already been granted bail in MCRC No. 3276/2020, therefore, the present applicant may also be granted benefit of bail. He also submits that the applicant is in jail since 28.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application and submits that the offence committed by the applicant is serious in nature; therefore, no case is made out for grant of bail.
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 applicant and further considering that the co-accused has already been granted bail and the applicant is in jail since 28.08.2019, and 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.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- 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**