

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7088 of 2020**

- Mahendra Singh Rajput, S/o Late Topsingh Rajput, Aged About 36 Years, Presently R/o Durga Chauk, Shankar Nagar, Police-Station-Mohan Nagar, Durg, District-Durg, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through P.S. Mohan Nagar, Durg (Chhattisgarh), District : Durg, Chhattisgarh

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate.
For State/respondent	: Mr. Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****05/11/2020**

1. This is the 4th bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His 1st bail application MCRC No.3876/2018 was dismissed as withdrawn on 26.6.2018. The 2nd bail application MCRC No.9401/2018 was dismissed on merits on 7.2.2019 and subsequent to that the 3rd bail application MCRC No.7149/2019 was dismissed as withdrawn again.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.122/2017 registered at Police-Station-Mohan Nagar, District-Durg (C.G.) for the offence punishable under Sections 420, 409 of IPC and Section 3, 4 & 5 of the Prize Chits and Money Circulation Schemes(Banning) Act,

1978.

3. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. It is submitted that the change in circumstance that has occurred at present is this, that the main accused Rajendra Singh Sisodiya, who happens to be the Director of the Arogya Dhanwarsha Developers Allied Ltd. Company has been granted bail by the co-ordinate Bench of this Court in MCRC No.569/2020 vide order dated 25.06.2020. The applicant is in jail since 9.4.2017. He is local resident of District-Durg, Chhattisgarh. The trial against him is likely to take some time, hence, it is prayed that he may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that already the applicant has not been found fit in the earlier order passed by this Court, therefore, this application may also be rejected. There is no need to consider the application again on merits. The only ground raised in the application is the ground of parity.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As the co-accused being a Director of the Company has been granted bail, whereas the status of the applicant in the company had been a Manager, which means he was an employee in the Company, therefore, under these circumstances, I am of the view that it would be proper to release the applicant on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his

furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha