

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1606 of 2021**

- Rajesh Mishra S/o Bramheshwar Mishra Aged About 39 Years R/o Golden Home Shankar Nagar Raipur District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station New Rajendra Nagar Distirct Raipur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Sanjay Agrawal, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

The applicant has filed **Second Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 183/2019 registered at Police Station: New Rajendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 420, 120-B, 409/34 of the IPC.

The first bail application of the applicant was dismissed as withdrawn on 08/12/2020 passed in MCRC No. 4409/2020 and a liberty was given to the applicant to file a fresh bail application.

As per the prosecution case, the applicant has been arrested for the offence punishable under Sections 420, 120-B, 409/34 of the IPC.

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He would next contend that as per the terms of agreement, the complainant was

entitled to receive the amounts of installment from the borrowers and, accordingly, the same was accepted without knowledge of the applicant. He further contended that the applicant is in jail since 12.08.2019 and is ready to furnish adequate surety and shall abide by all the directions and conditions which may be imposed by the Court, therefore, the present applicant may be released on bail.

Per contra, learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the case diary.

Considering the totality of the facts and circumstances of the case, nature of allegation, detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.

Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 2,00,000/- with one local surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

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