

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1835 of 2021**

- Poshan Dewangan S/o Rajendra Dewangan Aged About 23 Years R/o Ward No.06, House No. 50, Sheetla Chowk, Kharora, Police Station Kharora, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station, District : Raipur, Chhattisgarh.

---- Respondent

For Applicant. : Mr. Pradeep Singh Rathore, Adv.
 For Respondent/State: Mr. Udhaw Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.03.2021**

1. Heard.
2. Admit.
3. The accused/applicant has moved this third bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 131/2020 registered at Police Station – Kharora, District Raipur (C.G.) for the offence punishable under Sections 406, 420/34 of the IPC, Sections 4 & 6 of the Prize Chit Fund and Money Circulation Scheme Act and Section 10 of Chhattisgarh Protection of Depositors Interest Act, 2005.
4. Second bail application of the applicant was dismissed on 17.09.2020 passed in MCRC No. 4834/2020.

5. As per the case of prosecution, the applicant along with other co-accused persons have cheated the investors assuring that the money would be doubled in 15 days and collected Rs. 40,05,980/- from different persons but the same were not returned after maturity.
6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that one Kamal Narayan Dewangan had obtained the money from the different persons and even present applicant is also one of the victim. He is in jail since 28.05.2020, therefore, he may be released on bail.
7. Per contra, State counsel opposes the bail application.
8. I have heard learned counsel for the parties and perused the case diary.
9. Considering the totality of the facts and circumstances of the case, nature of allegation, I am of the opinion that present is a fit case to release the applicant on bail.
10. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
11. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 1,00,000/- 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**