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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2717 of 2021**

- Hemant Dewangan S/o Radheshyam Dewangan Aged About 39 Years R/o Subhash Nagar Dhamtari, Tahsil And District Dhamtari, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Kotwali Dhamatari Revenue And Civil, District Dhamtari, Chhattisgarh

---- Respondent

For Applicant.	:	Mr. Sachin Singh Rajput, Adv.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.06.2021**

1. The applicant has filed this **Second bail application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 126/2019 registered at Police Station : Kotwali Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 420/34 of the IPC, Sections 4, 5 & 6 of The Price and Money Circulation Scheme (Banning) Act, and Sections 6 & 10 of the Chhattisgarh Protection of Depositors Interest Act 2005.
2. The first bail application of the applicant was dismissed as withdrawn by this Court on 04.08.2020 passed in MCRC No. 3342/2020.
3. The present applicant has been arrested for the commission of offence punishable under Sections Section 420/34 of the IPC, Sections 4, 5 & 6 of The Price and Money Circulation

Scheme (Banning) Act, and Sections 6 & 10 of the Chhattisgarh Protection of Depositors Interest Act 2005 as he is alleged to have been committed fraud of Rs. 1, 47, 41, 897/- with the help of Directors & Cashier of Mahanadi Adivory Seriveds Pvt. Ltd.

4. Mr. Sachin Singh Rajput, learned counsel appearing for the applicant would contend that the applicant has been falsely implicated in the crime in question as he was appointed as a Manger in the said Company and he was just an employee who had no authority to take decision on making policies and furthermore, the applicant had resigned from the post of Branch Manager on 01.03.2016 which is annexed here as Annexure A/3. Referring to Annexure A/12, counsel for the applicant next contended that the charge-sheet has been filed but the charges have not been framed against the applicant yet and based on that this Court has enlarged the another co-accused namely Yashwant Sonkar on bail on 10.03.2021 passed in MCRC No. 9450/2020. As the applicant is in jail since 03.03.2020, therefore, he may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, detention period of the applicant and further considering the fact that the co-accused has been granted bail by this Court on the same crime, without further commenting on merits of the case, I am inclined to release him on bail.
8. Accordingly, the bail application is allowed.

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

Sd/-

(Rajani Dubey)
Judge