

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.3438 of 2021**

- Rohit Kumar Sahu S/o Vishnu Prasad Sahu Aged About 42 Years R/o Baihar, Rasni, Police Station Arang, District Raipur , Chhattisgarh, At Present House No. 11, Shri G Dwarika Colony, Mahavir Nagar, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station City Kotwali, Ambikapur , District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent**Present:-**

Shri Pushkar Sinha, counsel for the applicant.
Shri Ravish Verma, GA for State.

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****27/08/2021**

1. Heard.
2. This is repeat bail application. Earlier bail application was dismissed as withdrawn.
- 3 The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.350/2019 registered at Police Station Kotwali, Ambikapur District Surguja for the offence punishable under Section 420, 34 of IPC and Section 10 of the Nikshepakon Ke Hiton Ka Sanarakshan Adhiniyam. The applicant was arrested on 15/10/2020.
4. Case of the prosecution is that the applicant and other co-accused are involved in seeking deposits of Rs.27 Lacs from 175 persons from the year 2013 onwards. FIR has been lodged on 13-06-2019.
5. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He further submit that there is no material evidence against the present applicant to involve the applicant in this case, therefore, the present is a case of no evidence. It is also submitted that one of the co-accused-**Dilip Sahu** has been granted bail by this Court vide order dated

06-07-2021 in MCRC No.2651 of 2021. In these circumstances, learned counsel for the applicant prayed that the applicant may be granted bail.

6. On the other hand, learned counsel for the State/non-applicant opposes the bail application.

7. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the fact that the offences are triable by the JMFC; as also the fact that the applicant is in jail since 15-10-2021 and the charge sheet has been filed, I am inclined to allow the bail application. Accordingly, the bail application is allowed.

8. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.50,000/- along with one surety of the like amount to the satisfaction of the concerned trial Court on the condition that he shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge