

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5121 of 2021**

- Rajesh Mishra S/o Bramheshwar Mishra Aged About 45 Years R/o Housing Board Colony, Raipur, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant. : Mr. Sanjay Agrawal, Advocate.
 For Respondent/State : Mr. Dinesh Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.08.2021**

1. Heard.
2. The accused/applicant has moved this **Second bail application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 180/2019 registered at Police Station – New Rajendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 420, 409, 120-B, 34 of the IPC, Sections 3 & 4 of Prize Chits and Money Circulation (Banning) Act and Section 10 of Chhattisgarh Protections of Depositors Interest Act, 2005.
3. The first bail application of the applicant was dismissed as withdrawn on 08.12.2020 in MCRC No. 4409/2020 with Other connected case and a liberty was given to the counsel for the applicant to file a fresh bail application.
4. As per the case of prosecution, the allegation against the present applicant is that he cheated the investors assuring them for better benefit but, after sometime, he back out from

his promise and did not return the money of investors.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submitted that the applicant is only a franchiser of Sure Mart Company and he has been already granted bail in MCRC No. 1606/2021 by this Court. The applicant is in jail since 13.05.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.
6. Per contra, State counsel opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the facts and circumstances of the case and the detention period of the applicant, as the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail. Accordingly, the application is allowed.
9. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 2,00,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

V/-