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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6112 of 2021

- Mahendra Kumar Tiwari, S/o - Sheshmani Tiwari, Aged About 32 Years, R/o- Kamran Tola, Post- Urtan, P.S.- Kotma, District : Anuppur, Madhya Pradesh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, P.S. City Kotwali Balodabazar, District : Balodabazar-Bhathapara, Chhattisgarh.

---- Non-Applicant

MCRC No. 6136 of 2021

- Mahendra Kumar Tiwari, S/o Sheshmani Tiwari, Aged About 32 Years, R/o Kamran Tola, Post- Urtan, P.S. - Kotma, District- Anuppur (M.P.).

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, P.S.- City Kotwali, Balodabazar, District- Balodabazar, Bhatapara (C.G.).

---- Non-Applicant

MCRC No. 6143 of 2021

- Mahendra Kumar Tiwari, S/o Sheshmani Tiwari, Aged About 32 Years, R/o Kamran Tola, Post - Urtan, P.S.- Kotma, District : Anuppur, Madhya Pradesh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer P.S.- City Kotwali, Balodabazar, District- Balodabazar, Bhatapara (C.G.).

---- Non-Applicant

MCRC No. 6203 of 2021

- Mahendra Kumar Tiwari, S/o Sheshmani Tiwari, Aged About 32 Years, R/o Kamran Tola, Post Urtan, P.S. Kotma, District : Anuppur, Madhya Pradesh.

---- Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer P.S. Balodabazar, District Balodabazar, Bhatapara (C.G.).

---- Non-Applicant

For Applicants : Shri Akhtar Hussain, Shri Ram Sajivan,
Advocates

For Non-Applicant/State : Shri Anand Verma, Dy. G. A.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

23.09.2021

- 1) All these aforesaid bail applications filed under Section 439 of Cr.P.C. are being disposed of by this common order

Applicant Mahendra Kumar Tiwari in	Crime Nos. & Police Station	Offence u/s	In jail since
MCRC No. 6112 of 2021	487/2020, City Kotwali Balodabazar-Bhatapara (C.G.)	420, 34 of IPC	07.07.2021
MCRC No. 6136 of 2021	486/2020, City Kotwali Balodabazar-Bhatapara (C.G.)	420, 34 of IPC	07.07.2021
MCRC No. 6143 of 2021	484/2020, City Kotwali, Balodabazar-Bhatapara	420, 34 of	07.07.2021

	(C.G.)	IPC	
MCRC No. 6203 of 2021	485/2020, City Kotwali, Balodabazar-Bhatapara (C.G.)	420, 34 of IPC	07.07.2021

- 2) The allegation against the present applicant is that he alongwith co-accused Mewa Chopra in the name of providing job to the complainant party, fraudulently obtained Rs. 9,50,000/- from wife of the complainant namely Hemlata, Rs. 1,00,000/- from Umeshvari Dewangan, Rs. 3,80,000/- from Geeta Sethiya, Rs.1,20,000/- from Savita Soni, Rs. 6,20,000/- from Karuna Thakur, Prafull Kashyap and Rs. 3,50,000/- from Smt. Dolly Dewangan. On report being lodged to the above effect the aforesaid offence has been registered against the accused persons.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that there is no material on record to substantiate the fact that the applicant has done any offence under Section 420/34 of IPC. The similarly situated co-accused persons Roshan Choudhari & Dilbag Singh Parastay have already been granted bail by this Court vide order dated 17.06.2021 in MCRC Nos. 9274/2020, 1855/2021, 1951/2021, 2176/2021 & 9335/2020. There is no likelihood of his tampering with the prosecution evidence or absconding. The applicant is in jail since 07.07.2021 and due to COVID-19 trial is likely to take some time for disposal. Therefore, the applicant be released on bail by this Court.
- 4) On the other hand, learned counsel for the Non-Applicant/State opposes the bail applications.

5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation made against the present applicant, the applicant changed his name as Ashok Pandey, in connivance with co-accused Meva Chopra obtained money from the complainant party in the name of providing job, he committed cheating with the complainant party involving a huge amount, he remained absconded for a long period prior to his arrest, the material collected during the investigation, the gravity of offence, case of the present applicant is different on facts from the case of co-accused Roshan Choudhary & Dilbag Singh Parastay, therefore, without commenting anything on merits of the case I am not inclined to grant bail to the applicant.

6) Accordingly, the bail applications i.e. MCRC Nos. 6112/2021, 6136/2021, 6143/2021 & 6203/2021 are rejected.

Sd/-

(Gautam Chourdiya)
Judge

Nadim