

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7195 of 2020**

- Satyanarayan Dubey S/o Lakshman Prasad Dubey Aged About 52 Years R/o Village - Kuruwa, Police Station - Surujpura Jungle, Tahsil - Sahaspur Lohara, District - Kabirdham (C.G.), District : Kawardha (Kabirdham), Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station - Jhalmala, District - Kabirdham (C.G.), District : Kawardha (Kabirdham), Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dharmesh Srivastava, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/07/2021**

The matter is heard through video conferencing.

1. The accused/applicant has moved this second bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 01/2020 registered at Police Station-Taregaon Jungle, District - Kabirdham (C.G.) for the offence punishable under Section 420 of the IPC.
2. The first bail application of the applicant was dismissed vide order dated 12.06.2020 by this Court in MCRC No. 3046/2020.
3. Prosecution case in brief is that complainant Shivilal Dhurve and 8-9 others preferred an application with the allegation that the present applicant impersonated himself as an Insurance Officer and allured the villagers by saying that he would help them to get benefits of the government schemes. Further, it is alleged that the present applicant received a sum of Rs. 37,34,000/- from the villagers and assurance was

given that the amount would increase up to 10 times. They also alleged that the amount was received by the present applicant in the bank account of his brother's wife but didn't return to the complainant and other villagers. Based on this, offence has been registered against the present applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the amount was deposited in the account of wife of the applicant's brother which shows that the no cheating was committed by the present applicant. He next submits that the applicant was granted bail in MCRC No. 1003/2021 in the same offence by the coordinate bench and the applicant is in jail since 29.01.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application and submits that the applicant did a serious offence; therefore, he may not be released on bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 29.01.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge