

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8024 of 2021**

- Vinocha Tandon, S/o Ballu Das Tandon, aged about 29 Years (wrongly mentioned in order dt 01/09/2021 Annexure A-2), R/o Village Kuteshwar, Police Station Mandir Hasoud, Raipur, District Raipur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through - the Station House Officer, Police Station Amanaka, District Raipur, Chhattisgarh.

----Non-applicant

For Applicant	Shri Atanu Ghosh, Advocate.
For State	Shri Anand Verma, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

23/11/2021

1. First bail application preferred by the applicant was dismissed as withdrawn vide order dated 24.02.2021 passed in MCRC No. 8956 of 2020.
2. The applicant has preferred this second bail application under Section 439 of Cr.P.C. as he has been arrested in connection with Crime No.187/2020 registered at Police Station Amanaka, District Raipur, C.G. for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 of Indian Penal Code.
3. Allegation against the present applicant is that he along with other accused persons allured the complainant- Yuvraj Kumar Sahu and other persons for providing them job in AIIMS and thus fraudulently

obtained Rs.3,00,000/- from the complainant and Rs.2,00,000/- from other people whereas no such employment was provided to them. On report being lodged to the above effect, offence under the aforesaid Sections have been registered against the present applicants

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that applicant has not committed any offence nor is involved in commission of any offence as alleged against him, applicant is in jail since 03.11.2020, charge sheet has already been filed, conclusion of trial is likely to take some time and that the main accused in this case namely- Meghnath Chandravanshi has already been granted default bail by the Court below and other co-accused persons namely Manish Tandan and Danesh Bharti have already been granted regular bail by this Court vide order dated 01.09.2021 in MCRC Nos.2029 of 2021 & 4422 of 2021 and, therefore, the applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that applicant has no criminal antecedents.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the applicant, the detention period of the applicant, who is 29 years old, charge sheet has been filed, the fact that the main accused in this case namely Meghnath Chandravanshi has already been granted default bail by the Court below and other co-accused persons namely Manish Tandan and Danesh Bharti have already been granted regular bail by this Court, the applicant has no

criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) he shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in any offence in future.

Sd/-
Gautam Chourdiya
Judge