

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8678 of 2020**

- Rajesh Sukhau Jaiswal, S/o Sukhauram Jaiswal, Aged About 59 Years, R/o L.M. Nayek Road, Golfadevi Road, Mumbai. Present Address - H.No. 13 Jeevan Vihar, Colony, Chakarbhata, Bilaspur Tehsil - Bilha, Police Station - Chakarbhata District - Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - S.H.O. Police Station - City Kotwali District - Bilaspur Chhattisgarh.

---- Respondent**With****MCRC No. 8717 of 2020**

- Virat Singh, S/o Rajendra Singh, Aged About 21 Years, Resident Of Village Lain Baghari, Post Baghra, Tahsil Simariya, District- Riva Madhya Pradesh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- City Kotwali, Bilaspur, District- Bilaspur Chhattisgarh.

---- Respondent

For Applicants	: Mr. Chitendra Singh, Adv. in MCRC No. 8678/2020 & Mr. K.K. Pandey, Adv. in MCRC No. 8717/2020
For Respondent/State	: Mr. Udhaw Sharma, G. A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 194/2020 registered at Police Station- City Kotwali, District- Bilaspur (C.G.) for the offence punishable under Section 420, 34 of IPC.
3. The prosecution story, in brief is that, it has been alleged that the present applicants committed fraud amounting to Rs. 65 lacs by alluring the complainant that he had won the lottery. Thereafter, offence has been registered against the present applicants and they have been taken into custody.
4. On behalf of the applicant namely Virat Singh, counsel for the applicant wants to withdraw as he is not pressing the application on his behalf and wants to withdraw his bail application.
5. On behalf of the applicant namely Rajesh Sukhau, counsel for the applicant submits that he is innocent and has been falsely implicated in the crime in question. He further submits that there is no named FIR registered against the applicant and he has been arrested on the basis of memorandum of other co-accused persons. The applicant is in jail since 10.10.2020 and there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the present applicant is a member of

international gang and had committed fraud using international numbers, the allegation against him is of serious in nature, therefore, no case is made out for grant of bail.

7. I have heard learned counsel for the parties and perused the records.
8. Considering the facts and circumstances of the case, especially nature and gravity of offence in question, at this stage, I am not inclined to release him on bail.
9. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected. However, the application on behalf of applicant namely Virat Singh is dismissed as withdrawn.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi