

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 29 of 2021**

- Manjesh Kumar Chouhan, S/o Chotelal Chouhan, Aged About 31 Years, R/o Village-59, Rahul Vihar, Thana Vijaynagar, Gaziabad, District- Gaziabad Uttar Pradesh- 201009

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Khursipar, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ajay Kumrani, Adv.
For Respondent/State	: Mr. Anand Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.01.2021**

1. Heard on admission.
2. Admit.
3. 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. 266/2019 registered at Police Station- Khursipar, District- Durg (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 201, 120B of IPC and 66(D) of I.T. Act.
4. The first bail application of the applicant was dismissed vide order dated 24.09.2020 passed in MCRC No. 5020/2020 by this Hon'ble Court.
5. The prosecution story, in brief is that, the present applicant has committed fraud amounting to Rs. 62,02,500/- on the name of installing mobile tower. Thereafter, offence has been registered against the present applicant and he has been taken into custody.
6. 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 other co-accused persons have been

granted bail in MCRC No. 6409/2020. He next added that the applicant is in jail since 13.12.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

7. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the present applicant is of serious in nature, therefore, no case is made out for grant of bail.
8. I have heard learned counsel for the parties and perused the record.
9. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that other co-accused persons have been granted bail in MCRC No. 6409/2020. The applicant is in jail since 13.12.2019 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.
10. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/-, 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**

Ruchi