

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.3385 of 2023**

1. Rakesh Singh Bais S/o Shri D S Bais Aged About 51 Years R/o B 37 Century Colony, P. Deendayal Upadhyay Nagar Raipur, Police Station D.D. Nagar, Raipur, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Deendayal Nagar, Raipur, District : Raipur, Chhattisgarh

---- Non-Applicant

MCRC No. 4923 of 2023

- Om Narayan Pandey S/o Shri Ramesh Chand Pandey Aged About 24 Years R/o Century Colony, Ganesh Garden, Police Station D.D. Nagar, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Deendayal Nagar, District : Raipur, Chhattisgarh

---- Non-Applicant

For Respective Applicant : Shri Rajeev Shrivastava, Sr. Advocate with Shri S.R. Sinha and Shri Sourabh Sahu, Advocates.
For Non-Applicant : Shri Adil Minhaj, Govt. Advocate.
For Objector : Ms. Pushpa Sewa, Advocate.

Hon'ble Shri Deepak Kumar Tiwari, J

Order On Board

12/07/2023 :

1. The aforesaid bail applications are being disposed of by this common order as they arise out of Crime No.204/2023 registered at Police Station Deendayal Nagar, Raipur District Raipur for offence under Section 420/34 of the IPC.



2. Prosecution case is that complainant Ram Narayan, a retired constable of the CISF, has lodged an FIR alleging that in the year 2021-22, various posts have been advertised by the Professional Examination Board, Chhattisgarh for the Mandi Inspector, Food Inspector, etc. in various departments. Applicant Rakesh Singh Bais induced the complainant to provide job, as he has contacts with higher authorities. With such inducement, the complainant & his relatives have given an amount of Rs.35 lakhs to him on the instructions of Rakesh Singh Bais to his PA applicant Om Narayan Pandey and thereby cheated the victims.
3. Learned Senior counsel for the applicants submits that the applicants are innocent and have been falsely implicated. The complainant is not an illiterate person and has served in the CISF for a substantial period. The complainant himself has approached his relatives and he has not given any amount to the present applicants. Investigation is already complete and charge sheet has also been filed. Offence is triable by the JMFC and they are in jail since 29.4.2023 and 28.4.2023 respectively. Therefore, the applicants may be released on bail.
4. Per contra, learned State Counsel and learned counsel for the Objector would oppose the bail applications. Learned State Counsel submits that material has been collected during investigation to show that the present applicants were in touch with the complainant and several text messages show that applicant Rakesh Singh Bais belongs to an influential family and taking benefit of the same, he allured and induced the complainant for providing job and collected huge amount and cheated the poor victims. Therefore, the bail applications be rejected.



5. Considering the submissions of the parties, particularly considering the backdrop of the case and the fact that the present applicants are connected with the crime in question and the complainant and his close relatives have been cheated for providing job and further considering the social impact of the said crime on the public at large, this Court is not inclined to release the applicants on bail.
6. Accordingly, the Applications are rejected.

Sd/-
(Deepak Kumar Tiwari)
Judge

Barve

