

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 5742 of 2015

- Shyamlal Hirwani, Son of Maganram Hirwani, Aged about 49 Years, R/o Village - Telawat Post - Dhaneli Kanhar, Thana Korar, Revenue & Civil District Kanker Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Officers-In-Charge, Police Station City Kotwali, Dhamtari District Dhamtari Chhattisgarh

---- **Respondent**

02.11.2015	Mr. Sanjeev Sahu, counsel for the applicant. State by Mr. Anil S. Pandey, Govt. Advocate. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.258 of 2015 registered at P.S. City Kotwali, District Dhamtari, Chhattisgarh for the offence punishable u/s 420 read with Section 34 of IPC. As per the prosecution, the applicant and the co-accused being the agents of Sanjeevani Produce Company Limited without obtaining permission from R.B.I., and other Banks received the amounts from public with an assurance to double the same within a short period and thereby committed the offence of cheating. Learned counsel for the appellant submits that the is simply an agent of the Company and he is not the employee of the Company, therefore, he has not played	

Rao	any role and he himself brought to the notice of the fact to the higher authorities including the Police. Per contra, learned State Counsel opposes the same and submits that the applicant alongwith the co-accused have cheated public at large and received the amounts. Considering the fact in the case diary that as many as 660 persons have deposited their amounts and the matter is under investigation and considering the gravity of offence and the manner in which it was committed, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected. Sd/- Goutam Bhaduri Judge	
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