

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3879 OF 2015**

Leman Kumar son of Daduram, aged about 36 years, Caste Kenwat, R/o Pihrid, P.S. and Tahsil Malkharoda, District Janjgir-Champa (C.G.)

---Applicant

Versus

State of C.G. Through, The District Magistrate, Janjgir-Champa, District Janjgir-Champa (C.G.)

---Non-applicant

And**M.Cr.C. No. 3662 OF 2015**

Dhananjay son of Jagdish, aged about 27 years, Caste Kenwat, R/o Mukta, P.S. and Tahsil Malkharoda, District Janjgir-Champa (C.G.)

---Applicant

Versus

State of C.G. Through, The District Magistrate, Janjgir-Champa, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicants : Mr. Ishwar Jaiswal, Advocate
For Non-applicant : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****12/08/2015**

1. Above mentioned two bail applications arise out of a common Crime No. 203/2014, registered at Police Station Sakti, District Janjgir-Champa (C.G.), for the offence punishable under Section 420 of Indian Penal Code and Sections 3, 4, 5 of Chitfund Act, 1978, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.

2. Case of the prosecution, in brief, is that, present applicants along with other co-accused persons were running Web Infra Project Limited, Gopalpur, Asansole, West Benbahi (Chit & Fund Company) and obtained Rs. 25,00,000/- from the complainant and other villagers for doubling the amount and, thereby, they have committed the aforesaid offence.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the crime in question as they are not the main accused of the crime in question. He would further submit that applicants are in jail since 21/03/2015 and therefore, the applicants may be released on bail.

4. On the other hand, learned counsel appearing for the State would oppose the bail application and submit that bail application of co-accused namely Rakesh has been rejected by this Court vide order dated 11/05/2015 in M.Cr.C.No. 1914/2015 and present applicants are Managing Director and Manager of the Company.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence and the manner, in which, the huge amount has been collected by the applicants for doubling the same from the complainant and other villagers and thereafter the Company has been closed, this Court is not inclined to release the applicants on regular bail. Consequently, bail applications (M.Cr.C. Nos.3879/2015 & 3662/2015) filed under Section 439 are rejected. However, trial Court concerned is directed to expedite the trial and decide the case as early as possible.

7. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari