

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6852 of 2015

Sadhram Manhar, S/o. Parasram Manhar, aged about 32 years,
Caste- Satnami, R/o. Village Kourwadih, Police Station & Tahsil
Jaijaipur, District : Janjgir-Champa (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : District Magistrate Janjgir District
Janjgir -Champa (C.G.)

---- Respondent

For Applicant : Mr. Ishwar Jaiswal, Advocate

For Respondent/State : Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 230/2015, registered at Police Station – Sakti, District – Janjgir-Champa (C.G.) for the offence punishable under Section 420/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant approached to the different depositors and stated that if they deposit the amount in Kolkata Ware Industries Limited then they would get back good amount in return and if the company is closed, the amount would be paid by him. Consequently, different depositors had deposited the amount at Kolkata Ware Industries Limited. Subsequently neither amount was returned nor any interest was paid. Consequently, the report was made. It is contended that the applicant, Sadhram Manhar was working on behalf of Kolkata Ware Industries Limited and projected himself as an agent.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the applicant was employed in the company as an agent on the basis of commission and amount so collected was deposited with the company and it was not held by the applicant, who is the local resident of village – Janjgi. He further submits that the other co-accused persons namely Rajendra Kumar Thawait has already been granted bail by this High Court in M.Cr.C. No. 6382 of 2015 on 11.12. 2015 and the present applicant may also be entitled for bail on the ground of parity.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the applicant is in jail since 15.10.2015 and also the fact that the similarly placed co-accused persons have already been enlarged on bail by this court in M. Cr.C. No 6382 of 2015 on 11.12.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge