

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6889 of 2015

1. Krishna Kumar, S/o. Narayan Ratre, aged about 40 years, By Caste-Satnami, R/o. Village-Bhadra, P.S. - Pamgarh, Civil and Revenue District – Janjgir-Champa (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station - Baradwar, District – Janjgir-Champa (C.G.)

---- Respondent

For Applicant : Ms. Indira Tripathi, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/12/2015

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.269/2015, registered at Police Station – Baradwar, District – Janjgir-Champa (C.G.) for the offence punishable under Section 420, 34 of the Indian Penal Code.
2. As per the prosecution case different persons namely Parmeshwar, Rameshwar and Rakesh Kumar have deposited Rs.2,45,000/-, Rs.1.00 Lakh and Rs.2.00 Lakhs respectively in Sriram Silicon Limited Company with assurance that within short time amount will be doubled, however, the amount having not been paid after relevant time, case has been registered.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he was agent of the company and only for some commission the amount was deposited in the company. She would further submit that actually the crime has been committed by the Directors of the company i.e. Shrikant Dewangan,

Chhavi and Krishna Dewangan and taking in to the fact and the role played by the applicant and the applicant is in jail since 20.09.2015, the applicant may be enlarged on bail.

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. Perusal of the case diary reflects that according to the statement of Ashok Kumar, Saroj Kumar, Shoukat Ali, Ramesh Kumar, the Directors of the company were Shrikant, Chhavi & Krishna Dewangan. Perusal of the statement of the Parmeshwar, Rameshwar would show that applicant was working as an agent and the amount was paid to this applicant. Considering the fact that ultimately the amount was deposited in the account of the company, and the role played by this applicant, taking into consideration the gravity and level of allegation against this applicant, further considering the fact that charge sheet in this case has been filed and the applicant is in jail since 20.09.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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