

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5694 of 2015

1. Manindra Jaiswal, S/o. Late Laxman Prasad Jaiswal, aged about 52 years, R/o. Ward No.10, Mahuwa Chowk, Old Market, Dillirajhara, P.S. - Balod, District Balod (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station - Basantpur, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	: Mr. Manoj Paranjpe, Advocate
For Respondent/State	: Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/10/2015

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.201/2015, registered at Police Station – Basantpur, District Rajnandgaon (C.G.) for the offence punishable under Section 420 read with Section 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant alongwith other co-accused persons committed fraud by receiving amount from the different villagers to the extent of Rs.22.00 Lakhs in the name of Om Shri Sai Balaji Marketing Pvt. Ltd. as the villagers were asked to purchase the bonds for a fixed period with a promise it would be doubled within period of 4 years of time. Thereafter, the amount having not been repaid, report was made, wherein after investigation, the

charge sheet has been filed.

3. Learned counsel for the applicant would submit that the applicant has not received the amount from the villagers and he only attended the seminar of Om Shri Sai Balaji Marketing Pvt. Ltd. as an agent when the seminar was organized in the village of Balod and actually the owner of the company is one G. Shridhar, resident of Hyderabad, therefore, he submits that the charge sheet having been filed, no further investigation is necessary and considering the role played by the accused/applicant, he 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 statement of the witness shows that when the seminar was conducted, the applicant alongwith Bachhandas Gangber and Sanjay Morya persuaded the people to deposit the amount in the company, therefore, considering the statement, it can not be accepted that the role of the applicant was only restricted. It would be subject of evidence before the Court below. In view of the above I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge