

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1619 of 2016**

Mahadev Soni, S/o Late Shri Ram Krishna Soni, aged about – 38 years, R/o Village- Bhinod, Tahsil & Police Station- Sarsiva, Civil & Revenue District – Balodabazar (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh, Through: The Station House Officer, Police Station – Janjgir (Wrongly mentioned Through the District Magistrate Janjgir-Champa), Civil & Revenue District- Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Mr. P.M. Shriwas, Advocate.
 For Non-applicant/State: Mr. Dhiraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22/04/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 352/21015 registered at Police Station 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 complainant has deposited Rs. 1,80,000/- to Pratistha Infracon India Limited Company through Vinod Vishvas and that Company promised to return the amount with handsome interest after maturity but did

not re-pay the amount and thereby cheated the complainant.

(3) Counsel for the applicant submits that though the applicant is Director of the Company but he has falsely been implicated in the offence in question as the applicant has already resigned from his post on 27.03.2015 and the FIR has been registered on 2.7.2015 against Vinod Vishvas (Agent of the Company) & Member of Board of Director's of Pratishtha Infracon India Limited Company and, as such, the applicant is not involved in the matter in any way and the similarly situated co-accused has already been released on bail by the Court below and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; role of the applicant being the Director of the Company and the documents available in the case diary, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-