

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1979 of 2016

Anirudh, S/o. Sukhdev Singh Nishad, Aged About 35 Years, R/o. Village Khatta, Tahsil- Mahasamund, Distt.- Mahasamund, Chhattisgarh

--- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh

---- Respondent

For the Applicant	:	Mr. Awadh Tripathi, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.258/2015 registered at Police Station- City Kotwali, District Dhamtari (C.G) for the offence punishable under Sections 420/ 34 of Indian Penal Code.
2. As per the prosecution case, M/s. Sanjivani Producer Company Limited raised huge amount of public money without prior permission of the RBI or SEBI with an assurance to double the same within a short period of time and thereafter, the same was not being done. The applicant was working in the said Company at Dhamtari and when the amount was not paid, the report was made.
3. Learned counsel for the applicant would submit that the applicant was working as Assistant Branch Manager and he was not in the helm of affairs to take policy decision of the Company. He further submits that the applicant was an employee of the Company and was following the instructions of the Directors, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail, however, he would submit that the status of the applicant is that of Assistant Branch Manager at Dhamtari.
5. Perused the documents, charge sheet and statements. It appears that the applicant was an employee in the Company and he has not played any role in policy decision. Considering the fact that the charge sheet has been filed and the similarly placed co-accused have been enlarged on bail by this Court and the co-ordinate Bench, I am inclined to release the applicant on bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

Sd/-

**GOUTAM BHADURI
JUDGE**