

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4286 of 2016

1. Jawahar Lal Ghidoude, S/o. Bhukhan Lal, Aged About 44 Years, R/o. Village Beladula, Tahsil & Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh.
2. Mohan Lal Kurre, S/o. Paltaram Kurre, Aged About 34 Years, R/o. Village Marghati, Tahsil Malkharouda, Police Station Hasaud, Distt. Janjgir Champa, Chhattisgarh.

--- Applicants

Versus

State Of Chhattisgarh Through The District Magistrate Janjgir, District Janjgir Champa Chhattisgarh

--- Respondent

For the Applicant	:	Mr. Rakesh Pandey, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 136/2016 registered at P.S. Baradwar, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 409, 420 read with Section 34 of IPC.
2. As per the prosecution case, Bhoomi Devcon & Agritech Ltd., Rajnandgaon has floated different Schemes to give lucrative interest on deposits and the amounts deposited will be doubled within a short period of time with interest and in the alternative, the land would be given. On such promise/pretext, the deposits were collected by the Company but after some time, the Company was closed and every one fled away. The allegation is that the applicants were working as an agent of the Company and collected the amounts from various depositors on behalf of the Company.

3. Learned counsel for the applicants would submit that the applicants themselves were working as an agent in the Company and as an agent, they have not taken any policy decisions with respect to the Company and the entire policy decisions were taken by Managing Director/partners namely Lal Chand, Radha Bai, Ghasi Ram, Sanjay Kumar and Kaushal Prasad, therefore, the applicants may be enlarged on bail
 4. Per contra, learned State Counsel opposes the bail, however, he do not dispute the fact that the applicants were working as an agent in the Company and have not participated in taking decisions on principle policy.
 5. Perused the case diary and documents. Considering the allegations made against the applicants and the role played by them as they were working as an Agent and has not participated in taking policy decisions of the Company, I am inclined to release them on bail.
 6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on their executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.
- C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

