

HIGH COURT OF CHHATTISGARH, BIL

Order Sheet

MCRC No. 6905 of 2015

1. Tuleshwar Kumar Yadav S/o Shri Khorbahra Ram Yadav Aged About 32 Years R/o Village - Bori, Post - Khapri, Police Station, Tahsil & District - Balod (Chhattisgarh)
2. Dukhram Yadav S/o Shri Allaram Yadav Aged About 42 Years R/O Village Kurdi, Post - Dundera, Police Station Arjunda, Tahsil - Gunderdehi, District - Balod (Chhattisgarh).
3. Virendra Kumar Dhruv S/o Late Buddhuram Dhruv Aged About 44 Years R/o Village Kurud, Post - Atarmara, Police Station Panduka, Tahsil Chhura, District - Gariyaband (Chhattisgarh).

--- **Petitioners**

Versus

- State of Chhattisgarh through : Station House Officer, Police Station, Dalli Rajhara, District - Balod (Chhattisgarh).

--- **Respondent**

04.01.2016	Mr. Manish Upadhyay, counsel for the applicants. Mr. Anil S. Pandey, Govt. Advocate, for the State. This is an application filed u/s 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection with Crime No.304/2015 registered at Police Station Dalli Rajhara, Distt. Balod (C.G) for the offence punishable under Section 20 of IPC and Sections 3, 4, 5 of the Prize Chits and Money Circulation Scheme (Banning) Act 1978. As per the prosecution case, the applicants who are Directors of Unnati Real Estate Ventures Private Limited and Unnati Bidding Rearings India Limited have collected the amounts from different villagers on the ground that the deposited amounts will be doubled within a short period of time and thereby they have collected Rs.3 crores from 1000 local investors. Learned counsel for the applicants submits that the	

Rao	applicants are directors of the Company which was registered and allowed to operate and they have not committed any offence and it was a money transaction, therefore, before the maturity period, the report is made. Consequently they may be enlarged on bail. Per contra, learned State Counsel opposes the bail and submits that the applicants are the directors of the Company and no permission from Reserve Bank of India was obtained for money circulation and thereby the offence has been committed. Perused the case diary and having regard to the nature of offence that from large number of villagers, huge amount has been collected, it appears that the offence is committed in an organized manner whereby the down-trodden people have been deceived. Considering the facts and circumstances of the case, in the opinion of this court, if the applicants are granted bail, there is every possibility of tampering of evidence as the applicants using their position have collected amounts from large number of villagers. Therefore, taking into nature of evidence, I am not inclined to allow the bail application. Accordingly, it is rejected. Sd/- GOUTAM BHADURI JUDGE	
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