

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1365 of 2015

Premal Dewangan, son of Shri Shankarlal Dewangan, Aged about 40 years, Resident of House No.82, Riddhi Siddhi Colony, Rajnandgaon, District Rajnandgaon (C.G). --- **Applicant**

Versus

State of Chhattisgarh through the Station House Officer, Basantpur, Distt. Rajnandgaon (C.G) --- **Respondent**

For the applicant	:	Mr Anup Majumdar, Advocate.
For the Respondent	:	Mrs. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.02.2016

1. Apprehending arrest in connection with Crime No. 396/2015 registered at Police Station Basantpur, Distt. Rajnandgaon (C.G) for the offences punishable under Sections 420 IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, a complaint was made against the applicant that he being the director of YALSCO Group has allured the people to deposit the money with assurance to multiple the same within a short period of time. However, all of a sudden, the scheme of the company was closed and the money was not given back to the depositors thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated and at no point of time, it was assured to the depositors to double the money. It is further submitted that the Company is being engaged in insurance business and the premium of insurance was received and the money has already been given back but the depositors want to double the amount as such the false report has been made.

4. Per contra, learned State Counsel opposes the prayer for grant of bail and submits that the money has been collected by extending false assurance and all of a sudden the scheme was closed and consequently it will lead to forgery which is still to be investigated and against the applicant similar offences have been registered vide Crime Nos. 92/2015 at Police Station Basantpur and Crime Nos. 304/2015 at P.S. Dalli Rajahra.
5. Necessarily the matter needs to be investigated. The investigation is at the primary stage.
6. Thus taking into totality of the facts and circumstances of the case and the way in which the offence committed and looking to the primary evidence collected by the prosecution I am of the opinion that it is not a case where the applicant can be extended the benefit of provisions of Section 438 Cr.P.C. Therefore, I am not inclined to allow this bail application and accordingly it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE