

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2709 of 2016

- Amit Yadav S/o Lekhram Aged About 27 Years Caste Yadav,
R/o Baauda Bazar, Ward No. 15, Tahsil & District Balauda
Bazar, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer
Baradwar, District Janjgir Champa, Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the Respondent	:	Ms. Shobha Kashyap, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

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. 136 of 2016 registered at P.S. Baradwar, District Janjgir Champa (C.G) for the offence punishable under Section 420 & 409 read with section 34 IPC.
2. As per the prosecution case, the applicant for an on behalf of the Company namely Bhoomi Devcon & Agritech Ltd., Rajnandgaon in which he was working as Manager floated different Schemes to give lucrative interest on deposits with a further promise that the amount deposited will be doubled within a short period of time with interest and in the alternative, the land would be given and subsequently after some time, the Company was closed and every one fled away. The allegation is that the applicant being part of the Company has committed offence.

3. Learned counsel for the applicant submits that the applicant himself was working as Manager in the Company and as an employee, he has 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 applicant may be enlarged on bail
4. Per contra, learned State Counsel opposes the bail. However, she do not dispute the fact that the applicant was working as an employee of the Company and has not participated in taking decisions on principle policy.
5. Perused the case diary and documents.
6. Considering the allegations made against the applicant and the role played by him as he was working as Manager and has not participated in taking policy decisions of the Company, I am inclined to release him on bail.
7. 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE