

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.695 of 2016

Ashok Patel, S/o Budhmal Patel, aged about 32 years, R/o Hatkeshar, Dhamtari, Post Office Dhamtari, Police Station City Kotwali, Dhamtari, Tahsil & District Dhamtari (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station City Kotwali, District Dhamtari (C.G.)

---- Non-applicant

For Applicant:	Mr. Shivendu Pandya, Advocate.
For Non-applicant:	Mr. D.R. Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.258/2015, registered at Police Station City Kotwali, Distt. Dhamtari, for the offence punishable under Sections 420 and 409 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that M/s. Sanjeevani Producer Company Limited has raised huge public money without prior permission of Reserve Bank of India (RBI) and Securities and Exchange Board of India (SEBI) promising to double the amount and thereby committed the offence. The matter has been reported by Ravi Vishwakarma.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the

case. The applicant is agent of the said Company, he has not collected any amount and he has only worked as agent in the said Company. The applicant is in jail since 21-9-2015. Charge-sheet has been filed. Learned counsel further submits that similarly situated co-accused Ramnath Sahu has been granted bail by this Court by order dated 9-3-2016 passed in M.Cr.C.No.626/2016 and therefore, the applicant also deserves same treatment.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, the fact that the present applicant is not Director of the Company and is not mainly responsible for the affairs of the Company, pretrial detention of the applicant, charge-sheet has been filed and co-accused Ramnath Sahu has already been granted bail, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge