

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.7507 of 2015

Raruha Prasad son of late Roman Lal Chandrakar, aged about 70 years,
 R/o. Nayapara, Mahasamund, P.S. Mahasamund, District Mahasamund
 (CG)

---Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station
 Mahasamund, District Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr. Shailendra Dubey, Advocate
For Non-applicant	:	Mr. O.P.Sahu, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/02/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.138/2015, registered at Police Station- Mahasamund, District-Mahasamund (C.G.), for the offence punishable under Sections 420 & 467/34 of the IPC and Sections 3 & 4 of the Price Cheats and Mani Circulation Scheme Banning Act, 1978.

2. Case of the prosecution, in brief, is that the applicant along with other co-accused have allured different persons of the village and thereafter collected the amount in the name of H.B.N. Diary & Allied Limited and from complainant Raju Yadav, an amount of ₹16,740/- was collected with a promise to return the same within a short period with double amount. Likewise the applicant has also collected Rs.17 lacs from different distributors for and on behalf of the company and deposited in the company.

3. Learned counsel for the applicant would submit that the applicant is a poor villager aged about 70 years and was an employee of the company, he was

only working as an agent and actually the Directors of the company has collected ₹65 crores from different distributors and have fled away. He further submits that the applicant has falsely been implicated in this case and is in jail since 30.11.2015.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, nature of dispute, role of the present applicant as an agent, the applicant is not the Director of the Company and is not involved in policy decision, he is only said to have accepted ₹16,740/- from the complainant, charge-sheet has already been filed and the fact that the applicant is in jail since 30.11.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall 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 trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-