

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5467 of 2016**

Choithram Bajaj S/o Late Chandulal Bajaj, Aged About 38 Years,
R/o -D -46, Pawanbihar, New Rajendra Nagar, Post Office- Raipur,
Police Station-Rajendra Nagar, Raipur, District-Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station-Chhura, District-Gariyaband Chhattisgarh.

---- Respondent

For applicant – Shri Shivendu Pandya, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****15/09/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.37/2016 registered in Police Station Chhura, District-Gariyaband (C.G.) for offence punishable under section 420/34 of IPC.
2. As per the case of the prosecution, a report was made by one Ramchandra Yadav that publication was made in Nav Bharat that Balaji Tower Registered Company is going to install tower, certain deposits were called for registration and accordingly an amount of Rs.31,600/- was deposited in the account as per instruction of the said company and the agents. Subsequently, neither tower was installed nor amount was returned, therefore report was made and it revealed that applicant along with Pramod opened company and allured different persons to deposit the amount in account and thereafter committed offence.
3. Learned counsel for the applicant submits that the applicant is only the owner of the company. The entire money was collected by Pramod and since advertisement was made to invite installation of tower, since

applicant was running advertisement agency, he got it published and he has no connection with Pramod Dewangan. Therefore, learned counsel submits that the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail

5. Perused the case diary and the documents. Perused the memorandum statement of the applicant also wherein it is stated that he along with Pramod Dewangan has made certain advertisement in the paper for false installation of tower and 60 to 70 persons have deposited the amount and certain SIM bearing mobile No.9926118058 was used in Reliance Mobile by the applicant and Pramod Dewangan and after use the SIM was destroyed. Considering the nature of offence and evidence collected, the way the offence has been committed in organized manner, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE