

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6767 of 2016**

Pranav Pathak S/o Shri Sabhay Narayan Pathak Aged About 38 Years R/o Samrath Nagar, Waraseoni, District Balaghat, Madhya Pradesh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Civil Line (SIT), Raipur, District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Amrito Das, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****23/11/2016**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.41/2012 registered in Police Station Civil Lines (SIT), Raipur, District Raipur (CG) for offence punishable under sections 420, 409 read with Section 34 of Indian Penal Code and Section 3, 4, 5 and 6 of the Prize Chits and Money Circulation Schemes Banning Act 1978.
2. As per the prosecution case, a company named M/s Aryarup Tourism & Club Resorts Pvt. Ltd. allured different persons to invest amount and in return it was assured that they would be provided with plot alongwith high return. At Mumbai different persons invested the amount in the company and the amount was deposited in the account of the company. Subsequently, all the office in the Chhattisgarh were closed and the applicant fled away.
3. Learned counsel for the applicant submits that the applicant was only working as an agent of the company and he himself has deposited the amount and has not taken any policy decision on behalf of the company and the applicant is in jail since 20/09/2016, therefore the

applicant may be released on bail.

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

5. In reply of the State it reflects that the applicant was working as an agent of the company. Perused the case diary and the documents. On perusal of the documents, it appears that the applicant has also invested the amount as per Annexure A-2 as also cheque was issued to the applicant by the company. Taking into role played by the applicant, prima facie it appears that he was an investor. Further taking into reply of the State which shows that he was working as an agent of the company and it appears that he was not able to take any policy decision on behalf of the company. Considering the facts, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE