

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7330 of 2016

Ramsukh Kashyap, S/o. Johit Ram Kashyap, Aged About 40 Years, R/o. Village Kamrid, Police Station Saragaon, District Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - S. H.O., Police Station- Champa, District Janjgir – Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ravindra Sharma, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.12.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.172/2016 registered at Police Station- Champa, District Janjgir-Champa (C.G.) for the offence punishable under Section 420, 409 & 34 of the Indian Penal Code and Section 3, 4, 5, 6 of Chit Fund Act.
2. As per the prosecution case, a report was lodged by Ganpat Lal Tandan that at the behest of the applicant and others, the complainant and others have deposited huge amount in the Company namely United Real Build Limited with an assurance that it will be returned with a high value and interest, however, the same has not been done. The said collection of money was without permission of RBI or SEBI, thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant was only working as an Agent and he himself has been deceived

and he was not involved to take any principle decision of the Company. He further submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the reply filed by the State wherein it is stated that the applicant was working as an Agent. Considering the role played by the applicant, as he was working as an Agent and he has not taken any principle decision on behalf of the Company and further considering the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge