

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6573 of 2017

- Basant Patel S/o Ashwini Kumar Patel, Aged About 40 Years R/o Village Masturi, Police Station Masturi, District Bilaspur, Chhattisgarh, Civil & Revenue District Bilaspur, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through The District Magistrate, Bilaspur, Chhattisgarh

---- Respondent

For Petitioner	:	Shri B. P. Sharma with Shri ML Saket, Advocates
For Respondent/State	:	Shri Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/12/2017

Heard.

2. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.279/2017 registered at Police Station Masturi, District Bilaspur for the offence punishable under Section 420/34 of IPC and Section 4, 5, 6 & 10 of CG Ke Nishepko Ke Hiton Ka Sanrakshan Adhiniyam, 2015.

3. Case of the prosecution is that the applicant and other co-accused collected total amount of Rs.2,63,000/- from various depositors on the assurance of providing high returns, but neither return was provided nor the deposit amount was paid.

4. Learned counsel for the applicant submitted that the applicant has been falsely implicated and he has not committed any such offence of cheating. He further submits that looking to the total amount alleged to be involved and that the applicant is in jail since 19-07-2017, investigation is complete, charge sheet has been filed and he is not likely to abscond or tamper with the prosecution witnesses, therefore, the applicant may be granted bail.

5. On the other hand, learned State counsel opposed the prayer for grant of bail on the submission that the applicant collected total amount of Rs.2,63,000/- by cheating the depositors on the assurance of high returns, therefore, prima facie case is

made out against the applicant.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the amount involved in the alleged offence and that the investigation is complete, charge sheet has been filed and he is not likely to abscond or tamper with the prosecution witnesses and the period of pre-trial detention, I am inclined to grant bail to the applicant.

7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with two local surety of the like amount to the satisfaction of the trial Court on the condition that he shall appear before the trial Court regularly on each and every date, unless exempted.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E