

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1218 of 2017

Radheshyam Patel S/o Late Shri Govind Ram Patel Aged About 42
Years R/o House No. 59, Satnami Mohalla, Karmandi, Police
Station- Uрга, Civil & Revenue District- Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Devendra Nagar, District Raipur, Chhattisgarh.

---- Respondent

For applicant - Shri Dharmesh Shrivastava, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/03/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 44/2016 registered in Police Station Devendra Nagar, District Raipur (CG) for offence punishable under section 420, 34 of Indian Penal Code and Section 10 of the C.G. Nikshapakon Ke Hiton Ka Sanrakshan Adhiniyam (C.G. Protection of Interest of the Depositors Act)
2. As per the prosecution case, a report was made by the complainant Shanti Bai that she deposited amount in Dhan Varsha Real Estate Private Limited on 26/04/2013 and the amount was assured to be repaid with high interest. Subsequently, the office was closed and the company and the officers fled away and the said circulation of the amount was without sanction of the RBI or SEBI and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant submits that only one depositor had made the deposit in the account and on that basis earlier query was

made in M.Cr.C. No.8685/2016 and information was given by the State only one depositor had made the deposit, therefore no cheating has been made with the other person and amount has been returned to the complainant. Therefore case of the applicant is similar to that of Bisahu Lal who has been enlarged on bail in M.Cr.C. No.8685/2016. He therefore submits that the applicant may be released on bail.

4. Learned State counsel is not able to dispute the fact that case of the applicant is similar to that of Bisahu Lal who has been enlarged on bail in M.Cr.C. No.8685/2016.

5. Considering the facts and circumstances of the case and also for the fact that case of the applicant is similar to that of Bisahu Lal who has been enlarged on bail in M.Cr.C. No.8685/2016, 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