

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1723 OF 2017**

Anand Agrawal, aged about 25 years, Son of Shri Vijay Agrawal,
Resident of Plot No.15/15, Uttar Vasundhara Nagar, Purani Bhilai-03,
Distt.Durg (CG)

---Applicant**Versus**

State of Chhattisgarh, through the District Magistrate, Durg (CG)

---Non-applicant

For Applicant	:	Mr. M.K.Bhaduri, Advocate.
For-Non-applicant	:	Mr. Neeraj Jain, G.A.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order on Board****28/03/2017**

Heard the matter finally

1. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.507/2016 on 5.11.2016 under Sections 420, 406 read with Section 34 and 506 of the IPC by Jamul Police, Distt.Durg (CG) regarding the remaining sale amount outstanding for ₹ 41,66,933/-, charge-sheet has been filed and Criminal Case No.30/2017 is pending before the Judicial Magistrate First Class, Durg. He would further submit that this is first bail application. The dispute is of civil nature and co-accused Chetan Agrawal has granted bail vide order dated 9.3.2017 in M.Cr.C.No.1250 of 2017. Hence, the applicant may also be enlarged on bail.

2. Per contra, learned Government Advocate appearing for the

respondent/State opposes the arguments advanced on behalf of the applicant in the instant bail application and would submit that one another Crime No.52/2015 is registered against the present applicant by Jumul Police for similar offences and looking to the transaction and non-payment of amount more than ₹ 41 lacs, the case under Section 420, 406 read with Section 34 and 506 of the IPC has been registered against the applicant. He would further submit that charge-sheet has been filed. Hence, the application filed by the applicant may be dismissed.

3. Perused the material.

4. Grant of bail to other co-accused by a coordinate Bench in M.Cr.C.No.1250 of 2017 dated 9.3.2017 is not applicable for the present applicant on the basis of material collected by the police against the present applicant.

5. On due consideration when the applicant after receiving the goods did not make payment to the complainant for more than ₹ 41 lacs and also in the light of another criminal case registered against the present applicant, I am not inclined to allow the instant bail application. Consequently, bail application filed on behalf of the applicant is hereby rejected.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE

B/-