

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3282 of 2017**

- Rajkumar Sahu S/o Budhram Sahu, aged about 36 years, R/o 56 Minus, Purana Bazaar Para, Katkona, Police Station Patna, District Korea (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Patna, District Korea (C.G.)

---- Respondent

For Applicant. : Shri R.S. Marhas, Advocate.
 For Respondent. : Shri Ravindra Agrawal, P.L. for the State

Hon'ble Shri Justice Pritinker Diwaker**Order on Board****13/11/2017**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.134/2016 registered at Police Station : Patna, District Korea (C.G.) for the offence punishable under Sections 420 r/w 34 of IPC and Section 10 of Chhattisgarh Ke Nikshepako Ke Hito Ka Sanrakshan Adhiniyam, 2005.
2. Case of the prosecution in brief is that the applicant had collected Rs. 12,00,000/- from complainant Diwan Singh for depositing the same with Sai Prasad Property Limited on the assurance that the amount would be doubled within eight years. However, the said promise has not been fulfilled by

the Company as well as by the complainant.

3. Learned counsel for the applicant submits that he was working merely as an agent of the Company and had collected the said amount from the complainant. He further submits that as on date it is not within his hand to return the amount and it has to be done by the Company itself. He also argued that the order has already been passed by the Security Exchange Board of India (SEBI) on 14.01.2015.
4. On the other hand, State counsel opposes the bail application and submits that unless the poor complainant gets his amount back, applicant is not entitled for bail. He further submits that against main accused Vandana Bhapkar as many as 12 cases have already been registered in different States and considering the seriousness of the allegation, the applicant is not entitled for bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature of allegation against the applicant and the manner in which he has committed the offence, at this state, I am not inclined to released him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Pritinker Diwaker)
JUDGE