

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4333 of 2017

- Atul Pratap Singh S/o Krishna Pal Singh, Aged About 35 Years R/o Chandrahanshpura Out Post Hanumantpura, District Itawa, Presently Residing At H-10, Side No. 1, City Centre Gwalior, District Gwalior, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh` Through Station House Officer, Police Of Police Station Darri, District Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Sanjay Agrawal, Advocate
For Respondent/State	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

23/10/2017

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. 52/2016, registered at Police Station- Darri, District – Korba (C.G.) for the offence punishable under Sections 420, 409 of Indian Penal Code (for short 'IPC') and Sections 4, 5, and 6 of The Prize Chits and Money Circulation Scheme (Banning) Act, 1978, which is pending before the Court of Special Court, Korba.
2. Learned counsel for the applicant submits that the co-accused in this case have been enlarged on bail by the trial Court whereas the application of the applicant has been rejected. After the submission of charge-sheet, the trial is proceeding. Looking to the number of

witnesses listed for examination by the prosecution as 62 witnesses. The case is likely to take some considerable time for its completion, hence, prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the applicant and the submission made in this respect. It is submitted that applicant was running an institution named as Edward Commodity Brokers, which was not registered at SEBI and Reserve Bank of India, hence, no legality should be attached with said compromise applicant has made and the applicant in this case and various other persons to make deposit in this forged company of all the persons aggrieved have not come forward to lodge FIR against the applicant. The case of applicant is different from the co-accused persons, who have been released on bail as applicant had been the Director of the said forged company. He is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. Considering the submissions made and contents of the case diary, looking to the magnitude of the offence alleged to have been committed and the offence have been effected numerous person in the society, this is not a fit case where applicant should be enlarged on bail.
6. Accordingly, the application is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge