

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4646 of 2017

- M. Ravi Kumar S/o M.K. Murti Aged About 31 Years R/o Village Madhurbada, Chandpalak Area, Near Pepsi Company, Lalita Vihar, Visakhapatnam, Andhra Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Police Station Supela, District Durg Chhattisgarh.

---- Respondent

And

MCRC No. 4722 Of 2017

- K. Sunita W/o Prasad, Aged About 31 Years R/o Steel Nagar, Bhilai, District- Durg, Chhattisgarh.

---- Applicant

Vs

- State Of Chhattisgarh Through The District Magistrate, Police Station Supela, District Durg, Chhattisgarh.

---- Respondent

And

MCRC No. 5251 Of 2017

- Mosa Raju S/o M. Lokeshwar Rao @ Loknandan, Aged About 37 Years R/o Old N.H.5, Road Parmapuram Colony, Police Station Kashibugga, District Sikakulam (Andhra Pradesh)

---- Applicant

Vs

- State Of Chhattisgarh Through Police Station Supela, District Durg, Chhattisgarh

---- Respondent

For respective Applicants	:	Shri Jitendra Gupta and Shri P.K. Patel, Advocates
For Respondent-State	:	Shri Anupam Dubey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/11/2017

1. Since all the bail applications are arising out of the same crime No.179/2017, they are being considered and decided by this common order.
2. These are the First Bail Applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection with Crime No. 179/2017 registered at Police Station Supela, District Durg (CG) for the offence punishable under Sections 409, 420, 34 of the I.P.C. and Section 3, 4, 5, 6 of Inami Chit Aur Dhan Parichal Scheme Adhiniyam and Section 10 of Chhattisgarh Ke Nichchhipko Ke Hito Ka Sanrakshan Adhiniyam, 2005.
3. As per the prosecution case, a report was made by the complainant M. Mohan Rao, who was working as agent of R.D.P.L. Land Mark and Infrastructure Limited at Bhilai that he at the behest of the company collected different amount from the persons and get it deposited in the company with an assurance that the high return would be paid. Subsequently, all of a sudden the office of the company was closed and the entire staff fled away. Wherein the applicant R. Ravi Kumar was working as Invigilator of the Branch, applicant K. Sunita was working as Branch Incharge and the applicant Masa Raju was working as Senior Branch Head. Subsequently, after investigation it was found that the collection of money was made without any sanction from the Reserve Bank of India or any permission from the SEBI. Thereby the money was illegally circulated and

the fraud was played with the public, who have deposited the amount.

4. Learned counsel for the applicants M. Ravi Kumar and K. Sunita would submit that these applicants are not in the charge of the policy decision of the company. The Directors were Praveen Kumar Rohalla, Rakesh Kumar & Ritu Ram and the Registered address of the Office was at Sonipat, New Delhi. Learned counsel for the applicant Mosa Raju would submit that this applicant was working as Branch Head and he looks after the distribution of the company. Therefore, it is contended by both the counsel that the present applicants have not committed any offence, they were only working in the company. They would also submit that the charge-sheet in this case has been filed, therefore, the applicants may be enlarged on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perusal of the case-diary would show that the report was made by one S.M. Rao that despite the maturity of the amount, the money was not returned back to the depositors. The statements of the witnesses would show that the money was being collected by the applicants in connivance with each other and were deposited in the account of directors. The office appears to be opened at District Durg and the amount from different persons were collected amounting to Rs.35 Lakhs with an assurance that the same would be returned with high interest. Perused the statement of the depositors. Considering the same, the way the offence has been committed by playing fraud with the public down to earth, I am not inclined to release the applicants on bail. Accordingly, all the bail applications are dismissed.

Sd/-

Goutam Bhaduri

Judge