

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 708 of 2017**

1. Srinivas Rao Naidu, S/o. Late Shri K. S. Rao, Aged About 45 Years,
2. Smt. Madhavi Naidu, W/o. Srinivas Rao Naidu, Aged About 33 Years,

R/o. M.I.G. 226, Housing Board Colony Deorikhurd, Police Station - Torwa, District - Bilaspur, Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station – Torwa, Bilaspur, District -Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Rishi Rahul Soni, Advocate
For Respondent/State	: Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****11/12/2017**

1. Apprehending arrest in connection with Crime No.205/2017, registered at Police Station - Torwa, Bilaspur, District – Bilaspur (C.G.), for offence punishable under Section 420, 34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case the reason being this that applicant No.2 had given a written complaint in Police Station – Torwa, District – Bilaspur against Mrs. Malleva, Mrs. Jaya Agrawal and Shivam Tailors that on account of some loan

transaction between them, the persons complained against are harassing her to repay the loan with higher interest on the basis of this, FIR was registered against the persons complained under Section 3 and 4 of the C.G. Money Lenders Act. It is also submitted that there is no documentary proof against the applicants about their receiving huge amount as alleged in the FIR against them. It is also submitted that complaint and grievances let out by the complainant and others is belated hence not believable. It is prayed that they are ready to abide by all the conditions imposed while granting bail, therefore, the counsel prays that the applicants may be benefited with grant of bail.

3. Per contra learned State counsel opposes the applications for grant of bail and the submission made in this respect. It is submitted that as per the contents of the written complaint made by the complainant -Subrat Ghosh, both the applicants had been engaged in cheating the residents of the locality by collecting money under promise for attractive return and have not returned the same. Apart from that and complainant and other witnesses have given statement against the applicants that applicants induced them to pay huge amount for procuring jobs for the concerned persons. Hence there is sufficient material on the basis of which, the applicants are not entitled for grant of bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents.
5. The brief facts of the case are that as per the complainant – Subrato Das, both the applicants had made a scheme of running of five self help group in their locality of residents making members each of residents and also making collection from them. As

promised the collection was to be distributed to the persons in need otherwise to be returned to the depositors. As per the complaint, an amount of Rs.3,89,565/- was deposited by the complainant, which was not returned even on making demands by him. Another complainant -Bhuneshwar Kaushik has also complained similarly and stated that applicants also received money from him to procure job in the High Court. Applicant No.1 had been a Section Officer of the High Court at the relevant point of time. From the statement of the other witnesses, it is alleged that total Rs.46,89,941/- have been collected from the concerned persons by the applicants for procuring jobs and thus cheated them.

6. Considered the submissions and the contents of the case diary. Looking to the direct allegations against the applicants by the complainant and the witnesses in this case, I am of this view, it is not a fit case where the applicants should be enlarged on anticipatory bail.
7. Accordingly, the bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge