

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 711 of 2018**

Manoj Singh @ Arvind Singh S/o Late Shri Chhatradhari Singh,
Aged About 34 Years, R/o Jounpur, Nonari, P.S. Madiyahu, District
Jounpur (U.P.) (wrongly mentioned as (C.G.) Present Address Near
Pathak General Store New Pond Gudhiyari, P.S. Gudhiyari, Raipur,
Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Civil Lines Raipur District Raipur Chhattisgarh,

---- Respondent

For applicant - Smt. Indira Tripathi, Advocate.
For Respondent/State –Shri Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****04/04/2018**

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.371/2014 registered in Police Station Civil Lines, Raipur, Distt. Raipur (C.G.) for offence punishable under sections 420, 409 of IPC and Section 45 (2) of Chhattisgarh Value Added Tax Act, 2005.
2. As per the prosecution case, the applicant in between the period 2011 to 2014 was carrying on the business in the name of M/s Subh Trading Company and had opened a branch at Silyari and was engaged in business of black oil. Though sale was made on the bogus bills of 2413.14 lakhs were produced, thereby value added tax of 120.66 lakhs were not made.
3. Learned counsel for the applicant submits that the applicant was only an employee of Bhanwar Lal Agrawal and on the allurements that business would be done in his name, as his salary would be increased he has given certain documents to him and thereafter Bhanwar Lal Agrawal

had used the forged signature and conducted the business. Learned counsel submits that the applicant has been falsely implicated in the case and he is in jail since 21/07/2017 and no further investigation is necessary. She submits that the applicant will take up his right to stake his claim for the damage caused for incarceration after he is released and may stake his claim over the assets of business.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary ad documents. Considering the facts and circumstances of the case and the applicant is in jail since 21/07/2017, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

7. It is further observed that the applicant may stake his claim over the business on the basis of allegations levelled, if so advised.

Sd/-

(Goutam Bhaduri)

JUDGE