

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7175 of 2017**

- Manish Nigam S/o Brijesh Nigam Aged About 30 Years R/o Lavkush Nagar , Chhatarpur , District Chhatarpur Madhya Pradesh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer Police Station Tarbahar District Bilaspur Chhattisgarh

---- Respondent

For Applicant	:	Shri Rohit Sharma, Advocate
For Respondent-State	:	Shri Ashish Shukla, Dy. AG for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/04/2018**

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 on 15.10.2015 in connection with Crime No.112/2014 registered at Police Station Tarbahar, Bilaspur, District Bilaspur (CG) for the offence punishable under Sections 406, 420 read with Section 34 IPC.
2. As per the prosecution case, a report was made by Abhishek Dubey that he was asked by the present applicant and the others, who was running Renatuss Credit Co-operative Society Limited (C.G.) and the present applicant is the President of Mahima Trade Centre to deposit Rs.18 lakhs in the fixed deposit so that amount would be paid with high rate of interest after six months. Accordingly, Rs.18 lakhs was deposited and post dated cheque of Rs.18,76,000/- were given to the complainant. Subsequently, when date of maturity came on 4/04/2014 it was revealed that said Cooperative Society and Trade Centre have been closed and the applicant has fled away along

with the others.

3. Learned counsel for the applicant submits that the complainant Abhishek Dubey was appointed as Chief Administrative Officer in the Society in the year 2014 and the prosecution case which is completely contrary to the document that the applicant was appointed as Chief Administrative Officer. It is stated that the entire complaint is covered under Section 64 of the Co-operative Societies Act and the applicant is in jail since 15.10.2015 and no substantive progress has been taken place, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents which shows that apart from the complainant various persons also deposited amount in Renatuss Credit Cooperative Society Limited and the applicant was President of Renatuss Credit Cooperative Society Limited along with others. Taking into role played by the applicant that he was also President and has also signed various cheques which were dishonoured in favour of the beneficiaries/depositors. Considering the way the organized offence has been committed so as to take away money of the people by alluring them into the scheme and taking into background of the case, the way the offence has been committed it cannot be ruled out if applicant is enlarged on bail, he may tamper the evidence, therefore this court is not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-
Goutam Bhaduri
Judge

Ashu