

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7754 of 2017

- Tarun Mandal S/o Late Revti Mandal, Aged About 33 Years, R/o Banpur, Post Kharvi, P. S. Tamluk, District East Midnapur West Bengal, West Bengal

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chakradhar Nagar, District Raigarh Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicant – Smt. Indira Tripathi, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 19-08-2017 in connection with Crime No.105/2016, registered at P.S. Chakradhar Nagar, District Raigarh, Chhattisgarh for the offence under Section 420, 120-B, 409, 34 of the IPC and Section 4, 5, 6 & 10 of Chhattisgarh Protection of Depositors Interest Act, 2015.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated in this case. He is in custody since 19-08-2017. The applicant was simply working as an agent in Disha Agro Projects India Limited and believing in policy and schemes of the company, he has motivated some of the depositors in the area to make deposit in which he is not beneficiary or recipient of the said deposits. Similarly placed co-accused has been granted bail by coordinate Bench of this Court. Hence, it is prayed that the applicant may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application

and submission. It is submitted that the applicant and other agents and employees of the company have collected huge amount of Rs.77,28,040/- from various depositors and by closing down office of the company, have defrauded and cheated various depositors. Hence, the applicant is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. The applicant was one of the agents of Disha Agro Projects India Limited and was instrumental in getting deposits from various depositors of the area. Thus, on complaint made by Rajkumar Sahu, the FIR was registered. Charge sheet has been filed after completion of the investigation.

6. Considered on the submissions made and the contents of the case diary.

7. The applicant is neither Director nor policy maker of the company and he has simply worked as an agent, according to the contents of the case diary, hence, I am of this view that the applicant should be released on bail.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge