

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1107 of 2018**

- Rakesh Anant S/o Rattiram Anant Aged About 28 Years, Occupation Service, R/o Anant Nivas, Pragati Maidan, New Mandi Gate, Pandri, Police Station- Pandri, District, Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station, City Kotwali, Raigarh, District, Raigarh, Chhattisgarh

---- Respondent

For Applicant	:	Shri R.K. Pali, Advocate
For Respondent – State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****07/05/2018**

1. This is the Second 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 15.02.2016 in connection with Crime No.51/2016 registered at Police Station City Kotwali, Raigarh, Distt. Raigarh (CG) for the offence punishable under Sections 420, 409 & 120 B of the IPC and Sections 4, 5 & 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Sections 6 (5) (10) of the CG Protection of Depositors Interest Act, 2005.
2. As per the prosecution case, the concerned Company where the applicant was working as an employee, an amount of Rs.92,45,871/- has been deposited by the investors, the same has not been returned to them and also interest was also not given to them. The applicant

was working as Director/HR Manager in the said company and also on perusal of the statement of the witnesses recorded under Section 161 CrPC, prima facie surfaces the involvement of the present applicant in the crime.

3. Learned counsel for the applicant submits that the complainant Pradeep Kumar Mishra has been examined and nothing has been deposed against the present applicant. He further submits that the applicant is in jail since 15.02.2016, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of Pradeep Kumar Mishra, in para 1 of the statement the complainant has identified the present applicant and further in para 3 he has stated that the applicant along with the other used to visit the village several times and has made false assurance that they have permission from the State Government as also from the MLA and allured different people to deposit money by showing catalog. Considering the same, at this stage the arguments advanced by learned counsel for the applicant cannot be appreciated by picking up few of the lines of the statement and also taking into the fact that the way the organized offence has been committed and down to earth people have been deceived by inviting them to deposit money with an assurance of high return, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu