

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1293 of 2018

- Puranchand Singh S/o Nankuram Aged About 30 Years R/o- Village Banja, Outpost Basdei, Police Station Surajpur, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Surajpur, District- Surajpur, Chhattisgarh, District : Surajpur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. V.B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.79/2016 registered at Police Station– Surajpur District– Surajpur(C.G.) for the offence punishable under Sections 420, 120-B r/w 34 of the Indian Penal Code and Section 4, 5 & 6 of Inami Chit Evam Dhan Parichalam(Pabandi) Adhiniyam and section 10 of Chhattisgarh Protection of Depositors Interest Act.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant was

working as an agent of NICL company he was neither a director nor a policy maker of the said company. He had just believed in the schemes of the company and had encouraged the depositors to make deposit. One bond was issued by NICL in favour of the complainant Phoolmati for the deposit made by her. Applicant himself was not the receiptant of the said amount. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to prosecution case, the complainant Phoolmati has filed a written complaint alleging in it that this applicant and co-accused Shiv Kumar induced her to make deposit in the scheme of NICL and on the inducement given she deposited Rs.80,000/- for which bond was given to her showing the maturity amount Rs.92,800/- to be paid one year. On maturity of the said bond, she approached the applicant and co-accused but she was stalled and no payment was made. Subsequent to that the complaint was filed and FIR was lodged against this applicant.
6. On perusal of the case diary, it appears that it is clear that this applicant had been only an agent of the said company. He is a local resident of District-Surajpur and after filing of charge-sheet, it would not serve any purpose in keeping the applicant languishing in jail for the entire period of trial, hence, this appears to be a fit case where the applicants should be enlarged on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his

furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha