

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1701 of 2018

- Shekhar Viswas S/o Shri Ajeet Vishwas Aged About 42 Years R/o- Deviganj Road, Ambikapur, Police Station- Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Civil Line, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the applicant : Shri Atul Kumar Kesharwani,
Advocate

For the Respondent/State : Shri Anil S. Pandey, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30.04.2018

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 in connection with Crime No.587/2017, registered at Police Station –Civil Line, Bilaspur, District – Bilaspur, (C.G), for the offence under Sections 420, 34 of the Indian Penal Code, 1860.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he is in jail since 06.02.2018. After completion of investigation the charge-sheet has been filed. No case is made out against him. The applicant is ready to abide by all the conditions which may be imposed while granting

bail to the applicant, hence, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case it is alleged that this applicant was working as agent in Adhiraj Infra Estate Pvt. Ltd., and helped in promoting the project of that construction company. This applicant has induced the complainant -(Suresh Soni) and others and received the amount of Rs. 20, 50, 000/- in advance for purchase house in the project, but later on the said construction company was closed and the staff went in hiding, hence, the FIR was lodged.
6. On consideration on the submissions, contents of the case diary and looking to these facts that the present applicant was simply an employee of the said company, and not being a Director nor policy maker of said company and it also does not appear that he is the person who himself received and misappropriated the whole amount, further the applicant is local resident of District – Bilaspur, for these reasons, hence, this Court is of the opinion that this is a fit case, where the applicant is entitled for grant of 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