

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2060 of 2018**

Rajendra Prajapathi S/o Prem Lal Prajapathi Aged About 33  
 Years R/o- Sheetla Mai Ghamapur, Jabalpur, District :  
 Jabalpur, Madhya Pradesh --- **Petitioner**

**Versus**

State of Chhattisgarh through- Station House Officer, Police  
 Station- Devendra Nagar, Raipur, District- Raipur, , District :  
 Raipur, Chhattisgarh ---**Respondent**

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| For the applicant  | : | Mr. Anil Tripathi, Advocate.    |
| For the Respondent | : | Mrs. Madhunisha Singh, Advocate |

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**Hon'ble Shri Justice Goutam Bhaduri****Order on Board****07.05.2018**

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 42/2017 registered at Police Station Devendra Nagar, Raipur, Distt. Raipur (C.G) for the offences punishable under Sections 420 of IPC.
2. The first bail application was disposed of on 04.08.2017 without any appreciation on merit and the second one was dismissed as withdrawn on 11.12.2017.
3. As per the prosecution case, while the applicant was working as advisor to Max Erectors India Limited allured different people to deposit the amounts in the Company with an assurance to return the same with high value. However, when certain people deposited the amounts, all of a sudden, the Company was closed and amounts of people were not

returned.

4. Learned counsel for the applicant submits that the applicant was working as advisor/agent of the Company and he was not at the helm of affairs of the Company being an executive/ director to take any principal decision on behalf of the Company. He further submits that the applicant is in jail since 04.05.2017 and no further investigation is necessary, therefore, the applicant may be enlarged on bail.
  5. Per contra, learned State Counsel opposes the bail application.
  6. Perused the case diary documents. It appears that the applicant was appointed on behalf of the Company and he was not at the helm of affairs being director/executive of the Company to take part in taking any policy decision on behalf of the Company.
  7. Considering the role played by the applicant and the nature of allegations attributed to him and further looking to the detention period of the applicant as he is stated to be in jail since 04.05.2017, I am inclined to allow this bail application.
  8. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-  
GOUTAM BHADURI  
JUDGE**