

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2124 of 2018**

Shrawan Kumar Sahu, S/o. Shri Jodhram Sahu, Aged about 43 years, R/o. Village Kunda, Tahsil Pandariya, District Kabirdham, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through- Police Station Kunda, District- Kabirdham, Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. J.K. Gupta, Advocate
For State	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10//05/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 185/2017 registered at Police Station Kunda, District Kabirdham, Chhattisgarh for the offence punishable under Section 420/34 of Indian Penal Code.
2. The present applicant is in jail since 10.02.2018 in connection with the aforesaid Crime number.
3. The allegation against the present applicant as per the case of prosecution is that the present applicant is said to have on behalf of a finance company known as "PACL India" has collected huge amount of money from 10 different persons on the garb of getting the amount double in six years time. It is also the case of the prosecution that subsequently, the present applicant is said to have provided the complainants bond papers in this respect, but on completion of the period of maturity, the amount could not be

refunded by the present applicant, leading to the F.I.R. and the case being registered.

4. The counsel for the applicant submits that the present applicant happens to be one of the victim of the said PACL company and that the applicant has not been benefited in any manner from any of the transaction as he has deposited the entire amount collected into the account of PACL, India. He further submits that the applicant also was only an agent and also an investor in the said company. He has also lost his deposited money that he had invested. Thus he submits that the present applicant is not in any manner responsible for the loss caused to the complainants and therefore he be released on bail.
5. The State counsel however opposing the bail application submits that the present applicant is the person who has collected around Rs.2,15,000/-from 10 different persons on a promise of providing higher returns on the investment so made, in as much as the amount would get double in six years time. The State counsel further opposing the application submits that the name of the present applicant is reflected in the statements of all the victims. It is also their specific stand that it was the present applicant who had gone to the persons for canvassing and it was the present applicant, who had received the money and also the person who had issued a bond to each of the victims. Thus prayed for the rejection of the bail application.
6. Having heard the contentions put forth on either side and on perusal of the record, particularly taking note of the statements of the

witnesses examined during the course of investigation and the specific role alleged against the present applicant, this Court is of the opinion that not a fit case for grant of bail at this juncture.

7. Accordingly, the present bail application stands rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved