

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 383 of 2018

- Tikaram Sahu S/o Late Shri Ghaaram Sahu, Aged About 47 Years, R/o- Village- Pahanda, Tah- Patan, P.S.- Amleshwar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.- Amleshwar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Ms. Arpana Singh, Advocate.

For Non-applicant/State – Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-07-2018

1. Apprehending arrest in connection with Crime No.99/2017, registered at Police Station – Amleshwar, District Durg, Chhattisgarh for offence punishable under Section 420, 120-b of the IPC, and Section 10 of CGPDI Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. He is neither director, nor policy maker of the said company. This applicant has simply in the capacity of agent of the said company believing in the schemes of the company tried to promote the same and he has not made any inducement for the purposes of cheating the investors. The applicant himself is one of the investors in the schemes. No case is made out against him. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the case against the applicant, Rekhrum Sahu has lodged the FIR alleging that he and a number of other persons had made huge investments in the deposit schemes of the company by name as H.B.N. Dairy

and Allied Limited. After the period of maturity of the deposit schemes refund is not being made by the company. The allegation against this applicant is this, that he in the capacity of agent has induced some of the persons to make deposit in the schemes of the company.

6. As it appears that this applicant is not recipient of the amount deposited and it is not disputed that he was an agent of the company, hence, looking to the limited role that he has played which has resulted in commission of the offence, I am of this opinion that this applicant should be benefited with grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge