

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 399 of 2018

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

---- Applicant

Versus

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

---- Non-applicant

For Applicant – Shri J.K. Gupta, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

29-06-2018

1. Apprehending arrest in connection with Crime No.100/2017, registered at Police Station – Amleshwar, District - Durg, Chhattisgarh for offence punishable under Section 420, 120-B of the IPC and Section 10 of C.G. Protection of Depositors Interest 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 was simply appointed as agent of the Suvidha Farming and Allied Limited Company and he is neither Director, nor policy maker of the company. Believing in the policy and schemes of the company, he has simply worked for the same and he himself is one of the investors and thus an aggrieved person. 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 submitting that on the inducement given by this applicant a number of depositors have made deposits and are cheated. Another case is also registered against this applicant on the complainant made by a different complainant. Hence, no case is made out for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. As per the prosecution case, as an agent this applicant had induced complainant Rekhram Sahu and others to make deposit in the schemes of the company promising attractive returns, against which bonds were issued, but bonds were not honoured, hence, the FIR has been lodged.

6. After due consideration on the material present in the case diary and looking to this fact that this applicant is an agent and not director or policy maker of the company, I am of this opinion that the application filed by the applicant for grant of anticipatory bail deserves to be allowed.

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