

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3137 of 2018**

Shashi Singh D/o Late Gajraj Singh Agrawal Aged About 29 Years
 R/o 17, Kushabhau Thakrey Campus, New Rajnendra Nagar, Raipur,
 District : Raipur, Chhattisgarh **--- Petitioner**

Versus

State of Chhattisgarh through the District Magistrate Raipur District
 Raipur Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. B. Gopa Kumar, Advocate.
For the State	:	Mr. Ashish Shukla, Dy. A.G.,

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****26.06.2018**

1. This is first 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. 57/2018 registered at Police Station Ganj Raipur (C.G) for the offences punishable under Sections 406, 409, 420, 120-B of IPC and Sections 4, 5 & 6 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 & Section 10 of the C.G. Nikshepako Ke Hito Ka Sanrakshan Adhiniyam, 1978.
2. As per the prosecution case, a report was made by Pareshwar Dewangan that he along with others on the allurements made by the persons of K.M.J. Land Developers India Ltd had deposited certain amounts in the said Company with an assurance of returning the deposits with high returns. However subsequently the Company was closed and the amounts of the depositors including that of the complainant were not returned. It is also the case of prosecution that the money was circulated without permission of the RBI or SEBI,

thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant was working as an employee, which would be evident from the document Annexure A-2 as she was appointed by the Company and she has not taken any policy decision on behalf of the Company in such capacity. It is further stated that the appellant is in jail since 28.02.2018 and is suffering from various diseases. He submits that the charge sheet has been filed and the offence u/s 10 of C.G. Nikshepako Ke Hito Ka Sanrakshan Adhinyam, 1978 has also been diluted, therefore, no purpose will be served if the applicant is in jail.
 4. Per contra, learned State Counsel opposes the bail application. However, he is unable to dispute the fact that the applicant was working as an employee as per the statement.
 5. From the case diary, prima facie it appears that the applicant has not taken any policy decision and she was merely an employee of the Company.
 6. Considering the nature of the post held by the applicant and the fact that the applicant has not taken any policy decisions, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her 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 her appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**