

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4169 of 2018**

- Krishna Kant Patil @ Dhamsi Krishna Katam Reddy @ Vel Krishnan S/o Maruti Patil @ Katam Reddy Shrinivaslu, Aged About 41 Years R/o Near Panchayat Office Andhra Keshri Nagar District Nellur State Andhra Pradesh

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station - Bodhghat, Jagdalpur District Bastar Chhattisgarh

---- Respondent

For Applicant	:	Shri Vikash A. Shrivastava, Advocate
For Respondent/State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/07/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant in connection with Crime No. 32/17 registered at Police Station P.S. Bodhghat, Bastar (CG) for the offence punishable under Sections 420/34, 467, 468, 471 IPC and Sections 3, 4 & 5 of money circulation act.
2. As per the prosecution case, the applicant being proprietor of Fortune I.T. Solution company allured the different customers for depositing money with a promise of high return. Thereafter different persons namely Raj Kumar Mandan deposited Rs.3,15,000/-, Vikas Agrawal deposited Rs.50,000/-, Hitesh Sharma deposited Rs.62,000/-, Rakhi Goswami deposited Rs.50,000/-, Sujata Chakraborty deposited Rs.25,000/-, Shubham Pandey deposited Rs.1,00,000/-, Deepak Kumar deposited Rs.25,000/-, Suraj

deposited Rs.7000/-, Sajketan Joshi deposited Rs.31,000/-, Chintamani Rs.35000/-, J. Rao Rs.85000/- & Manoj Kumar Rs.60000/- at different point of time subsequently the office of the company was closed and the money was circulated with a promise of high return. As such the public at large was deceived.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and it is a business transaction altogether and the company has suffered a loss resulting into closure which cannot be equated with the criminality. He further submits that the charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Since as per the prosecution, the money was taken on the basis of the fake SMS and the applicant collected more than Rs. 50 Lakhs. Considering the same and the way the organized offence has been committed taking out the money of the down trodden people with an allurements of high return, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed. However, the trial Court is requested to expedite the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu