

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4662 of 2018**

Subrat Mandal @ Babul S/o Shri Dhanpati Mandal Aged About 43 Years
R/o- Sakunat Devnarayan Banrgee Road, Near Kalighat, Thana Kalighat,
District- Kolkata (W.B.), District : Kolkata, West Bengal.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station Civil Lines, District- Raipur,
Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Manoj Paranjpe and Shri Akhilesh Kumar, Advocates.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****23.07.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 246 of 2018, registered at Police Station Civil Lines, District Raipur, Chhattisgarh for the offence punishable under Sections 420 and 120B read with Section 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 3.4.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged

on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant alongwith other co-accused persons has cheated 11,571 unemployed persons and a total collection of Rs.1,15,71,000/- was made in which, this applicant has received his share. Hence, looking to the huge magnitude of the offence and that the applicant is the Director of the ITSPL Company, he is not entitled for grant of regular bail.

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

5. A complaint has been filed by one Basant Kumar Verma, Director of the Skilling Tech Education and Services Private Limited that Yogendra Kumar Barik representing himself as Director of ITSPL Company introduced him to another Director Jagannath Das and informed that their company is engaged in CSR Management Works. He invited the complainant to join his company for imparting training to unemployed youth. Some agreements were entered into between both the companies and some deposits were also made by Skilling Tech Company with the ITSPL Company. Later on, after receiving training fees from various trainees, the fee was not paid to the Skilling Tech Company which had imparted the training. The cheques given for the payment by ITSPL Company have been dis-honoured by the bank, whereas, it was found later on that the ITSPL did not have any agreement with the companies for CSR Management Works.

6. Considered the entire material present in the case-diary. It appears that in this case neither the applicant is the main accused nor he is one of the Directors of the Company. Hence, after due consideration, I am of the considered view that in this case the applicant deserve to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge