

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4833 of 2018**

Jagannath Das S/o Shri Tarani Das Aged About 34 Years Resident Of - 8
Badagada, Sidhani, Police Station Aasika, District Ganjam, Odisha, Orissa.

---- Applicant**Versus**

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

---- Respondent

For the Applicant	:	Shri Chandradeep Prasad, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.07.2018**

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/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 11.4.2018 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. Co-accused – Subrat Mandal @ Babul has been granted regular bail by this Court in M.Cr.C. No.4662 of 2018 vide order dated 23.7.2018 and the allegations against the applicant are also similar in nature. It is also submitted that in

fact the case is of civil nature as the applicant had failed to complete the obligations under the contract with the complainant-company. Hence, no case of commission of any offence is made out against the applicant and 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 has committed an offence of huge fraud and cheating in which numerous unemployed youth have been cheated to the tune of Rs.1,15,71,000/- and he is the main Director who has misappropriated the whole amount. It is also submitted that similar nature of cases are registered against the applicant in other states also. Hence, no case is made out for grant of regular bail to the applicant.

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

5. The case against applicant – Jagannath Das is that he is the Director of the ITSPL Company. He and his associates induced complainant – Basant Kumar Verma, Director of Skilling Tech Education and Services Private Limited, that they are connected with reputed companies like Godrej, Reliance etc. He was further induced to become partner for imparting training to unemployed youth. As it was through him, the fees was collected from the unemployed youth to the tune of Rs.1,20,30,520/- which was deposited in the account of ITSPL. Payment that was to be made for imparting training by Skilling Tech Education and Services Private Limited was made through cheques which were dishonoured by the bank. When the complainant came to know of the fraud, he lodged the FIR.

6. Considered the material present in the case-diary. It cannot be said that at this stage the case is of civil nature from the very inception. The applicant happens to be the Director of the Company which has been engaged in the commission of offence at large scale and also considering the fact that similar offences are registered against him in the other states also, his case is different to that of co-accused – Subrat Mandal @ Babul, hence, I am of the considered view that the present is not a fit case for grant of regular bail to the applicant.

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

Sd/-

(Rajendra Chandra Singh Samant)
Judge