

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5221 of 2018

Tarun Kumar Dey S/o Late Shri Mihir Dey Aged About 37 Years
Presently R/o H. No. H-1 Kelo Irrigation Colony, Lochan Nagar, Tahsil
And District Raigarh Chhattisgarh Permanent R/o Ambi, P. S.
Veliyabada, District Pachimi Mednipur West Bengal, District :
Medinipur, West Bengal --- **Applicant**

Versus

State of Chhattisgarh through the Station House Officer, Police
Station Chakradhar Nagar, District Raigarh Chhattisgarh. --
Respondent

For the applicant	:	Mr. Ashok Kumar Soni, Advocate.
For the Respondent	:	Mr. Sangharsh Pandey, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.09.2018

1. This is second 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. 105/2016 registered at Police Station Chakradhar Nagar, Raigarh (C.G) for the offences punishable under Sections 420, 409, 120-B/34 of IPC & Sections 4, 5, 6 & 10 of the Chhattisgarh Rajya Ke Nikshepkon Ke Hito Ke Sanrakshan Adhiniyam, 2005 Awam Niyam 2015.
2. As per the prosecution case, the applicant was working in Tisha Agro Project India Limited which opened the branch at Raigarh wherein he was in the helm of affairs as director and collected huge money from the public at large with an allurements that the money will be returned with high rate of interest. Subsequently, the money was not returned to the depositors and the Company was closed. It is further submitted that the said circulation of money was made without any permission of the RBI or SEBI.

3. Learned counsel for the applicant submits that the applicant is in jail since 27.5.2016 and there is delay in trial as no considerable progress has taken place. He further submits that in the list of corporate affairs wherein the names of directors are shown, the name of present applicant does not find place showing him as a director. He further submits that similarly placed accused Chandulal Kesharwani has been released on bail by this Court by order dated 29.06.2018 passed in M.Cr.C.No.2032 of 2018 and another accused Saumitra Das has been enlarged on bail in M.Cr.C.No.2615 of 2018 on the same date and the case of the present applicant is also on similar footing of the above co-accused, therefore, he may also be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application. However, he do not dispute the fact that similarly placed accused have been enlarged on bail by this Court.
5. Considering the fact that the applicant is in jail since 27.05.2016 and there is no considerable progress in trial and further considering the fact that similarly placed accused have been enlarged on bail by this Court, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his 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 his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE