

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6135 of 2018

Gokul Das Mangalmurti, S/o Late Shri Santoshi Das, aged about 44 years, Occupation- Shiksha Karmi, R/o Village- Patora, Tahsil Lundra, Distt. Surguja (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Lundra, Distt. Surguja (C.G.).

---- Respondent

For Applicant	:	Mr. Jitendra Pandey, Advocate
For Respondent	:	Mr. Anil Pandey, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20/09/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 104/2017 registered at Police Station- Lundra, Distt. Surguja (C.G.) for the offence punishable under Sections 420/34 of the IPC and Sections 5 & 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.
2. As per prosecution story, complainant- Shivram Das lodged a report against the present applicant to the effect that by alluring the complainant and the other persons, the present applicant along with other co-accused persons used to collect money for depositing the same in one Idol India Infrastructures Limited and promised them to return the deposited amount with whopping dividends, but he failed to return the said amount to the beneficiaries within time. On the basis of

said report, offence has been registered and the applicant has been taken into custody on 25/05/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is a govt. servant and has been falsely implicated in the present case. The main accused is Bappa Dutt Majumdar, who is Director of the said company. He further submits that the son of the present applicant- Prakash, who is another co-accused, had taken an agency of the said company. The applicant is only one of the agent of the said company who had invested money with the said company. He further submits that the applicant is in custody since 29/05/2018, charge-sheet has been filed and the trial will likely to take some time, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the main accused is the Director of the said company, the present applicant is only an agent of the said company, he is in custody since 29/05/2018, charge-sheet has already been filed, and trial will likely to take some, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like

amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul