

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7237 of 2018**

- Ghanshyam Dhruv, aged about 47 years, S/o Firturam Dhruv, R/o village Marod, Tahsil Mahasamund, District Mahasamund (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through, Police Station Arang, District Raipur (C.G.).

---- Respondent

For Applicant	:	Ms. Rashul Bhawnani, Advocate.
For Respondent	:	Smt. M. Asha, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/10/2018**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 29.06.2018 in connection with Crime No.156/2018 registered at Police Station : Arang, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471 and 120(B) IPC.
2. The prosecution case, in brief, is that on 26.03.2018 a written report was lodged by one Mohan Lal Dhruv alleging in it that the present applicant along with Directors of Prabhavi Bio-Tech and Branch Manager of Bank of India gave inducement to the complainant that improved cultivation methods can be provided by one Bio-Tech company for which they will help in getting loan from bank. It has been further alleged that the amount was transferred to the Bio-Tech company with the

help of documents and complainant's signature was also obtained thereon, and infact subsidy has not been received by the complainant. Based on this, FIR was registered against the applicant and Director of Bio-Tech company (other co-accused) under Sections 420, 467, 468, 471 and 120-B of IPC and he has been arrested.

3. Learned counsel for the applicant submits that the incident took place way back in the year 2015, this is the complete case of civil nature where applicant has been falsely implicated in the crime in question and infact no inducement was made by him to the complainant. Learned counsel also submits that the present applicant along with Director and Manager had approached the State Consumer Commission and their case has been decided in their favour and it was found that no deficiency of service has taken place in all the cases on the part of the applicants. Learned counsel further submits that the appellant is in jail for about four months and other co-accused person i.e Director and Manager of Prabhavi Biotech & Trading Company have already been enlarged on bail in connection with same crime number (156/2018) by this Court in MCRCA No.864/2018, vide order dated 28.08.2018.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Having heard learned counsel for the parties and having regard to the fact that other co-accused persons have

already been enlarged on bail, the present applicant is in jail for about four months, this Court is of the opinion that it is a fit case to release the applicant on bail.

7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge