

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7470 of 2018

- Shivkumar S/o Nawalsay, Aged About 45 Years, R/o Gangothi, Out-Post- Basdei, Police Station And District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station- Surajpur, District- Surajpur, Chhattisgarh. (Wrongly Mentioned As Police Station- Ajak Surajpur), District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Anil Gulati, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-10-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 12-09-2018 in connection with Crime No.79/2016 registered at P.S. -Surajpur, District- Surajpur, Chhattisgarh for the offence under Section 420, 120-B r/w 34 of the IPC and Section 4, 5, 6 of Inami Chit Evam Dhan Parichalan (Pabandi) Adhiniyam and Section 10 of Chhattisgarh Protection of Depositors Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 12-09-2018. No case is made out against him. Similarly placed co-accused Puranchand Singh has been granted bail by this Court. Hence, it is prayed that the applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged by the complainant Phoolmati, on the

inducement given by this applicant she made deposit of Rs.80,000/- in the scheme of Nirmal Infra Home Corporation Limited, against which a bond was issued to her. When the bond matured she found that the office of the company was closed. Hence, this case.

6. After due consideration on all the material present in the case diary and for the reason that this applicant is not connected with the company and also that similarly placed co-accused person has been granted bail, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge