

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 7948 of 2018**

Santosh Kishan Sapkale S/o Shri Kishan Sonu Sapkale Aged About 40 Years R/o Bungalow No. 6 Deepmangal Society, Narmad Library, Ghoddoud Road Surat, Police Station Umra, District Surat Gujrat CG. Mo. 9300791020

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Newai Durg District Durg Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. N. Naha Roy, Advocate
For State	:	Mr. Syed Majid Ali, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30/10/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 335/2014 registered at Police Station Newai Durg, District Durg, Chhattisgarh for the offence punishable under Sections 420, 409, 120B, 34 of Indian Penal Code and 3, 4 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.
2. The present applicant is in jail since 16.01.2017 in connection with the aforesaid Crime number.
3. The allegation against the present applicant is that the present applicant is a Director of one M/s. Astha Goat Farming Pvt. Ltd. Though the name of the company seems to be something relating to goat forming, but they entered into a business of chit fund and money laundering, in as much as on the assurance of doubling the amount of the investment made, the company in which the applicant

was a Director collected huge amount of money from the large number of villagers. One such victim of the applicant was a complainant Mahendra Kumar Gendre, who also on the hope of getting huge return on the investment made deposited an amount of Rs.2.5 lacs in the company belonging to the applicant through a co-accused namely Rajkumar Mahilange, who was an agent on behalf of the present applicant and his firm. Subsequently, when the company could not make the returns as promised, a complaint was lodged and the present applicant and other co-accused persons have been arrested. Rajkumar Mahilange in between has been released on bail on account of returning the substantial part of the money back to the complainant Mahendra Kumar Gendre and also on the no objection extended by the complainant. However, so far as the applicant is concerned, the applicant is the Director of the company.

4. The State counsel on perusal of the case diary submits that against the present applicant there have been a large number of cases reported both in the State of Chhattisgarh as well as in the State of Gujarat.
5. From the aforesaid averments of the State counsel and considering the manner in which the applicant has been defrauding the poor villagers, this Court is of the opinion that no prima facie case for grant of bail has been made out. Accordingly the present application for grant of bail stands rejected.

Sd/-
(P. Sam Koshy)
Judge