

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 7788 of 2017

- K. Abhilash S/o Shri K. Papa Rao, Aged About 23 Years R/o Avenue B25, Sector 6, Bhilai, District Durg Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Supela, District Durg Chhattisgarh, Chhattisgarh.

---- Respondent

For the applicant : Shri Vipin Tiwari, Advocate

For the Respondent/State : Shri Anupam Dubey, Dy.GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23.02.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 179/2017, registered at Police Station – Supela, District – Durg, (C.G), for the offence under Sections 420, 409, 34 of the Indian Penal Code and Sections 3, 4,5,6 of Prize and Chits and Money Circulation Schemes (Baining) Act, And Section 10 of the Chhattisgarh Protection of Depositors Interest Act, 2005.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He himself was working as agent in branch office of M/s. R.D. P.L. Landmark and Infrastructure Limited, New Delhi, at Supela Bhilai. The applicant is neither a Director nor a policy maker of the said company. He stands on the same footing as complainant himself stands. The applicant is in jail since 06.03.2017 and the trial is not yet completed, therefore, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State opposes the bail application and submission made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. It is alleged that the applicant was in-charge of the M/s. R.D. P.L. Landmark and Infrastructure Limited, New Delhi, at Supela Bhilai, and helped in promoting the schemes of the said company to allure the depositors to make deposit in the said company with promised for attractive returns, but later on the said company was closed and the staff went in hiding, hence, the FIR was lodged. Total Rs. 34, 81, 574.00 /- was collected by the said company through various agents working under it. Hence, this case.
6. On consideration on the submissions and the contents of the case diary and looking to facts that the present applicant was simply an employee of the said company, and not being a Director nor policy maker of said company, hence, this Court is of the opinion that this is a fit case, where the applicant is entitled for grant of bail.

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

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal