

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7863 of 2017**

- Atma Ram Sahu S/o Late Chinta Ram Sahu, Aged About 64 Years, R/o Village Sarwani, Police Station Chakarbhata, District Bilaspur, Chhattisgarh., Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Police Station Incharge, Pratappur, District Surajpur, Chhattisgarh., Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri Arvind Dubey, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**27-02-2018**

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 31-01-2017 in connection with Crime No.48/2016 registered at P.S. Pratappur, District Surajpur, Chhattisgarh for the offence under Section 420 read with Section 34 of the IPC, Section 4, 5, 6 of prize and chit fund operation scheme Prohibition act 1978 & Section 10 of Chhattisgarh protection of interest of depositors act, 2005.

2. It is submitted on behalf of the applicant, that the applicant has been falsely implicated in this case. The applicant is in jail since 31-01-2017. The case is pending before the Special Judge, Protection of Depositors Interest Act, Surajpur. it is alleged that the applicant had been Director of Saening India Reel Estate & Darie's Ltd. One Amit Kumar Sahu was founder of the company. The applicant has resigned from the directorship of the company on 10-04-2014, regarding which, documents have been attached. Hence, no case is made out against the applicant. Therefore, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application

and submits that the applicant is Director of the said company which has cheated a number of persons in the area by inducing them to make deposits in the scheme of said company. Hence, the applicant is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. As alleged, the agents of Saening India Reel Estate & Darie's Ltd. induced various persons of the area to make deposits in the schemes by promising attractive returns in the year 2010. The maturity amount of the bonds issued for the schemes was not paid to the depositors and the complainant filed a complaint, on that basis, the case has been registered and charge sheet has been filed after completion of the investigation.

6. Considered on the submissions made and the contents of the case diary.

7. Considered on the entire material present in the case diary. The applicant has been granted bail in similar matter registered against him in MCRC No.1694/2017 vide order dated 22-11-2017 passed by this Court, this fact is also to be noted that the applicant has a defence, that he had already resigned from the said company, hence for these reasons, I am of this view that the applicant should be released on bail during pendency of the trial against him.

8. 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.

9. Certified copy as per rules.

Sd/-

**(Rajendra Chandra Singh Samant)**  
**Judge**