

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 492 of 2019**

Fabianus Lakra S/o Shri Lata Phillip Lakra Aged About 39 Years R/o Village Dodapani, Post Bandarchua, Police Station Kansabel, District Jashpur, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Sitapur, District Sarguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Devershi Thakur and Ms. Sangeeta Soni, Advocates
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.143/2018 registered at Police Station Sitapur, District Sarguja (C.G.) for the offence punishable under Section 420, 34, 120B of IPC.
3. Case of the prosecution, in brief is that applicant and co-accused Arvind Minj received near about 26 Lakhs from 14 complainants assuring that they will invest the same in Ahana Trading Company, which gets the handsome commission. Complainants received some amount as commission but thereafter the payment was stopped. Applicant, co-accused Arvind Minj and complainants went to the owner of the Ahana Trading Company namely Vikram Singh, Vikram Singh told that company has been closed and he has given the amount applicant and co-accused after settlement of the account. Applicant and co-accused Vikram Singh did not return the due amount to the complainants.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.

5. Counsel for the applicant further submitted that applicant was only an agent. He had also deposited the amount in the said company. He had no intention to cheat anyone. He drew my attention on Annexure A/3 which is part of the bail application.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde