

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1709 of 2019

- Mukesh Singh Baghel S/o Shri Atar Singh Baghel, Aged About 35 Years, R/o Vinod Nagar Street No. 2 Bhind, Police Station And Tahsil Bhind, Civil & Revenue District Bhind (M.P.), District : Bhind, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through, Station House Officer, Police Station Arjuni, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

----Non-applicant

For Applicant – Shri Sunil Sahu, Advocate.

For Non-applicant/State – Shri I. Lakra, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-03-2019

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 24-06-2017 in connection with Crime No.244/2015 registered at P.S. - Arjuni, District Dhamtari, Chhattisgarh for the offence under Section 420, 409, 120-B/34 of the IPC and Section 6, 10 of the Chhattisgarh Nishepakon Ke Hito ka Sanrakshan Adhiniyam 2005 and Section 3, 4 and 5 of Chit Fund Act (Money Laundering Act).

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant. Though this applicant is presented as Director of Sunshine Infrabuild Corporation Ltd., but, in fact, the applicant had been an employee and the Director who had the same name as that of the applicant with different parentage, he has not been prosecuted in this case. Apart from that, the company of which the applicant was the employee is undergoing liquidation process. One co-accused Sanjeev Singh Baghel has been granted regular bail by this Court and the applicant is similarly placed. Hence, it is prayed that this applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is one of the directors, according to the list received from the SEBI. Huge amount has been defalcated by the company cheating the various investors of this State, therefore, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that this applicant and the co-accused person in capacity of Directors of Sunshine Infrabuild Corporation Limited, through various agents invited deposits and investments from innocent depositors in fraudulent schemes promising attractive maturity amount and returns, as a result of which numerous investors have made their investments and have lost it. Hence, this case.
6. Considered on the entire material present in the case diary. The case is now before the trial Court and the applicant is in jail since about two years and he shall have to face the trial to prove his innocence, hence, for these reasons, 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