

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2346 of 2019

Mohan Kumar Munna, S/o. Shri Shatrughan Munna, Aged About 51 Years,
R/o. Lalpur, Shiv Chowk, In Front Of Gajanand Kirana Store, Police
Station Tikrapara, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station -
Telibandha, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent : Mr. Sudeep Verma, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.07.2019

1. This is the fifth 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.72/2016 registered at Police Station- Telibandha, Raipur, Distt. Raipur (C.G.) for the offence punishable under Section 420, 406, 409, 120-B, 34 of Indian Penal Code and Section 10 of Protection of Investors Act, 2005.
2. The first bail application was dismissed on 07.09.2016, second bail application was dismissed on 26.07.2017, third bail application was dismissed as withdrawn on 22.02.2018 and fourth bail application was dismissed on 14.12.2018.
3. As per the prosecution case, certain amounts were collected by the Company namely SUSK India Limited & Shining Star Infrastate Limited from the different depositors with a promise to return the same with a high return, however, after the considerable period

when the amount was not paid to various persons, on enquiry it was found that the office of both the Companies were closed. The said collection was without permission of RBI or SEBI, thereby, the offence has been committed.

4. Learned counsel for the applicant would submit that the applicant is in jail since 25.05.2016 and still the trial has not been completed. He further submits that the other similarly placed co-accused has been enlarged on bail by this Court on 19.02.2019 in MCRC No.8776/2018 in respect of other Crime No.164/2016; therefore the present applicant may also be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused the case diary and the documents. Considering the fact that the applicant is in jail since 25.05.2016 and the trial is still not completed as it is stated that out of 25 witnesses only 14 witnesses have been examined, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

Sd/-
(Goutam Bhaduri)
Judge