

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 912 of 2019

- Meeluram Pal, S/o Late Punitram, Aged About 41 Years, R/o Village Baseen, Police-Station-Fingeshwar, District-Gariyaband, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police-Sation-Fingeshwar, District-Gariyaband Chhattisgarh.

---- Respondent

For Applicant : Mr. Raza Ali, Advocate.

For Respondent : Mr. Samdarsh Nirankari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

28/06/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.114/2018 registered at Police Station-Fingeshwar, District-Gariyaband, Chhattisgarh for the offence punishable under Section 420, 34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant was one of the office bearers of Sarvodaya Gramin Swa Sahayata Samiti. The amount that has been received from the complainant and others was in the form of registration fees and was not in the form of any deposit or investment. Similarly placed co-accused persons Rajkumar Yadav,

Ramesh Kumar Dhruw & Hulasram Yadav have been granted anticipatory bail by this Court, therefore, it is prayed that this applicant may also be granted anticipatory bail.

3. Learned State counsel opposes bail application and submissions made in this respect. It is submitted that this applicant is a party to the incident of fraud in which about 9207 persons have been defrauded and a total collection of Rs.1,38,28,914/- has been collected and misappropriated by the NGO, therefore, the applicant is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. According to the complaint filed by Ramlal Sahu, it is alleged that the NGO above mentioned invited deposits from various persons and an amount of Rs.1,502/- was collected from each of the investors and total amount of Rs.1,38,28,914/- was collected. The complaint of the complainant and others is this, that they have not been refunded the amount.
6. On perusal of the case diary, it appears that receipts have been seized from complainant and others, which mentions that the deposit taken was membership fees, therefore, after due consideration all the facts and circumstances of this case, I feel inclined to allow the application of this applicant.
7. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of applicant in connection with aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha