

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 4122 of 2019

- Anil Singh Lodhi S/o Kailash Singh Lodhi Aged About 24 Years R/o Shiv Mandir Road, Lodhi Mohalla, Ward No. 13, Police Station Maksi, Tahsil And District Sajapur Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Dhamtari Civil And Revenue District Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Mr. Purnendra Khichariya, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/07/2019

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 130/2018, registered at Police Station City Kotwali, District Dhamtari (C.G.) for the offence punishable under Section 420, 467, 468, 120-B & 34 of the IPC and Section 4, 5 & 6 of Prize Chits and Money Circulation Schemes (Banning) Act and Section 6 & 10 of Chhattisgarh Nishchhepko ke Hito Ka Sanrakshan Adhiniyam Act.
2. First bail was dismissed for want of prosecution vide order dated 10.05.2019 passed in MCRC No. 2521/2019.
3. As per prosecution story, Applicant is one of the Directors of a Company namely Susk India Company Limited and Shining Star Infrastate Limited. The Companies had collected the amounts from

different investors through the agents at Raipur, Durg and other places with an assurance to return the same with high rate of interest. Allegedly, after collecting the money from the depositors/investors, no amount were refunded by the said company and they have closed their office and fled away. In this background, one of the Investors namely Raghuram Yadav lodged a report and on the basis of the said, offence has been registered. In the present case, the Applicant has been taken into custody on 04.12.2018 and since then he is in custody.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there is no direct evidence available on record against the Applicant. Co-accused Kanhaiya Lal Ojha has already granted benefit of bail by this Court vide order dated 05.03.2019 passed in MCRC No. 8732/2018. The Applicant is in custody since 04.12.2018, charge-sheet has been filed and trial is likely to take some time, therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Co-accused Kanhaiya Lal Ojha has already granted benefit of bail by this

Court, the Applicant is in custody since 04.12.2018, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.

8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge