

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.4584 of 2019

Ramgopal, S/o Nokhram Gadhewal, aged about 38 years, resident of village Kutrabod, Police Statin Pamgarh, District Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh through District Magistrate Janjgir, District Janjgir-Champa (CG)

---Non-Applicant

For Applicant	:	Mr.Vivek Shinghal, Advocate
For Non-applicant	:	Ms Shivali Dubey, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

24/07/2019

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.352/2015, registered at Police Station-Janjgir, District-Janjgir-Champa (CG), for the offence punishable under Section 420/34 of the IPC.
2. First bail application of the applicant has been dismissed for want of prosecution vide order dated 4.7.2019 in M.Cr.C.No.2750 of 2019.
3. Case of the prosecution, in brief, is that the applicant being Director/Agent of Pratistha Infracon India Limited Company invited investment assuring doubling of invested amount and pursuant to which, complainant Mahendra Kumar Sahu deposited ₹ 1,80,000/-, which was not returned to him and thereby committed the aforesaid offence.
4. Learned counsel for the applicant would submit that the

applicant has not committed any offence and he has falsely been implicated in crime in question, he is only agent of the Company, he has not taken any money, it is the Company who has committed cheating, if any. He would further submit that the applicant is in jail since 31.12.2018, charge-sheet has been filed, no useful purpose will be served by detaining him in jail and he is ready and willing to furnish the security for the appearance before the trial Court.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature & gravity of offence, role of the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of ₹ 50,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

**(Sanjay K. Agrawal)
JUDGE**

B/-