

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7710 of 2018

Puranik Dewangan, S/o. Beer Singh Dewangan, Aged About 40 Years,
R/o. Ward No.1 Near Dikariya Talab, Rajim, Police Station Rajim, District
Gariyaband, Locally Residing At Jamgaon, Police Station Fingeshwar,
Gariyaband, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Police Station Mohan Nagar, Durg,
District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi with Mr. N. Naha Roy,
Advocates

For Respondent : Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.01.2019

1. This is the third 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.164/2016 registered at Police Station- Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Section 420, 406, 409, 120-B, 34 of Indian Penal Code and Section 10 of the C.G. Nixshepako Ka Sanrakshan Adhiniyam, 2005. The first bail application was dismissed on merit on 28.11.2016 and second bail application was dismissed as withdrawn on 17.05.2017.
2. As per the prosecution case, the applicant is one of the directors of the Company namely Shining Star Infrastate Ltd. The Company had collected the amounts from different persons through the agents at Raipur, Durg and other places. It is alleged that applicant was appointed as Director of Shining Star Infrastate Ltd., which too was involved in collection of amounts for money circulation with an assurance to return the same with high rate of interest. However,

the amounts were not returned, thereby the offence is committed. It is further alleged that the said collection and circulation of money was made without permission of the Reserve Bank of India or SEBI.

3. Learned counsel for the applicant submits that the document which has been placed on record from the Registrar Companies shows that the applicant was not a Director and he is in jail since 13.07.2016. It is stated that one of the accused Lalit Pal has already been enlarged on bail in MCRC No.3905 of 2018 on 17.09.2018 and the case of the present applicant is similar, therefore, he may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the documents filed by the applicant of Registrar Companies which shows the name of Santosh Kumar Agrawal, Amit Kumar Jain, Mohan Kumar Munna, Rakesh Giri, Kanhaiya Lal Ojha, Mahendra Narvariya & Fathe Singh as Directors of Shining Star Infrastate Limited. Taking into the same and also the fact that the similarly placed accused has already been enlarged on bail, I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge