

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6268 of 2019**

- Kailash Singh Lodhi, S/o Suraj Singh Lodhi, Aged About 52 Years, R/o Shiv Mandir Road Lodhi Mohalla Maksi, P.S. Maksi, District- Shajapur, (M.P.).

---- Applicant

Versus

- State Of Chhattisgarh, Through: Police Station Mohan Nagar Durg, District- Durg (C.G.).

---- Respondent

For Applicant	: Mr. Tarun Dansena, Adv.
For Respondent/State	: Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.12.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 164/2016 registered at Police Station Mohan Nagar Durg, District- Durg (C.G.). for the offence punishable under Sections 420, 406, 409, 120B, 34 of I.P.C. & Section 10 of C.G. Nishchhepko ke hito ka Sanrakshan Adhiniyam 2005.
2. The prosecution story, in brief is that, the applicant who is one of the Directors of the Company namely Susk India Company Limited in connivance with other Directors and persons have collected huge amounts from different persons in the name of the Company which was spread all through at Raipur, Durg and other places with an assurance to return the same with high rate of interest. Eventually the office of the Company was closed and all the depositors suffered. It is alleged that no refund was made to the depositors. Thereafter, offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that co-accused has already been granted bail in M.Cr.C. No. 3681/2018 vide order dated 03.07.2018. The offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 15.02.2017, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence has been triable by the Judicial Magistrate First Class. The applicant is in jail since 15.02.2017 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge