

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8493 of 2018**

Ashish Sinha S/o A.K. Sinha Aged About 38 Years R/o- H-02/97,
Narmada Nagar, Bilaspur, Tahsil And District- Bilaspur, Chhattisgarh.,
District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Station House Officer Police Station
Civil Lines, Bilaspur, District- Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Abhinav Shrivastava and Shri Virendra Verma, Advocates
For the State	:	Shri I. Lakra, Dy. G.A. and Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**10/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.421/2017 registered at Police Station Civil Lines, Bilaspur District Bilaspur (C.G.) for the offence punishable under Section 420, 406, 407, 467, 468, 34 of IPC.
3. Case of the prosecution, in brief is that applicant and two other persons namely Nikhil Prakash and Aniket Shrivastava were running local franchise of M/s All Process Source Solution Private Limited. They were appointing vendors for the digitalization work, and the persons interested were required to make security deposit for getting orders. Complainant Gourav Chhabra was appointed for the digitalization work. For this purpose said complainant had deposited Rs. 53,75,000/- as security. The said complainant performed his work but no payment was made to him for the work done by him. He approached the local office but found that the office was locked and closed whereabouts the applicant and others were not known said complainant lodged the report against the said company and applicant.
4. Counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. Counsel for the applicant further submitted that Rs. 53,75,000/- have been deposited in the account of said company.
6. State counsel submitted that as per the photocopy of the account of the said company there is entry about the deposit of Rs.53,75,000/-.
7. State counsel has opposed the bail application. He further submitted that three other criminal cases which is similar in nature have been registered against the applicant.

8. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that he shall not perform himself in similar type of crime in further, he appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde