

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8987 of 2018**

1. Satyaprakash Singh S/o Late Ram Bihari Singh, aged about 45 years,
2. Smt. Sima Singh W/o Satyaprakash Singh, aged about 35 years,
Both R/o Flat No. 1B, First Floor Lalpur, Police Station Lalpur, District
Rachi (Jharkhand)

--- Applicants**Versus**

State of Chhattisgarh, Through Station House Officer, Police Station Sarkanda,
District Bilaspur (C.G.)

---- Respondent

For Applicants	:	Mr. Amit Singh, Advocate
For Respondent	:	Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**10/01/2019**

1. The Applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 290/2018 registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. As per prosecution story, both the Applicants are Directors of the company namely Gidoum Samsang Agro Product Private Limited. On 01/05/2018, a written complaint was filed by the Complainant stating therein that the said company works business of Palm oil and other oils. The Complainant on the recommendation of Ashok Tiwari and Mahesh, made an agreement with the said company and deposited Rs. 30 lakhs through RTGS in the Company's account. Thereafter, the Applicants neither supplied food grains nor returned his money, and thereby committed cheating with the Complainant. On the basis

the said complaint, Offence was registered and the Applicants have been taken into custody on 01/11/2018.

3. Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. He further submits that from the evidence collected by the prosecution, prima-facie no offence under Section 420/34 of the IPC is made out against the Applicants. The matter is of civil nature and out of total 30 lakhs, the Applicants have returned 22 lakhs to the Complainant. He further submits that the Applicants are in custody since 01/11/2018 and trial will take time, therefore, they may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicants are in custody since 01/11/2018 and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the Applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the trial Court for their appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge