

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9607 of 2018**

- Piyush Saraf S/o Shri Kailashchandra Saraf Aged About 40 Years Address Orchid Apartment, Amleshwar, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Durg District Durg Chhattisgarh

---- Non Applicant

For the Applicants	:	Shri Raghvendra Pradhan, Advocate
For the State	:	Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****22/02/2019**

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.504/2018 registered at Police Station- Durg Kotwali, District- Durg (C.G.) for the offence punishable under Section 420 read with 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Rahul Parihar is running business in the name and style of Moonlight Agency Ganjpara, Durg. Applicant contacted complainant and offered him that he may work as wholesale stockist for Agro Food Private Ltd. Applicant introduced him as a sales incharge of Chhattisgarh Zone for Agro Food Private Ltd. He got executed agreement between the complainant and Director of said company namely Satish Dixit. On saying by applicant, complainant deposited 5 lakh rupees in the account of said company. Thereafter, complainant does not receive any goods. During the enquiry complainant found that there is no such company in existence.
4. Counsel for the State submits that one similar type of case has already been registered against the applicant.
5. Looking to the facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
6. Certified copy as per rules.

Sd/-**(Sharad Kumar Gupta)**
Judge

Parul