

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9745 of 2018**

Ramkishan Chouhan S/o Rajkumar Chouhan Aged About 29
 Years R/o Quarter No. 79 Type 2, Manikpur Police Station
 Kotwali Tahsil & District Korba District : Korba, Chhattisgarh
--- Petitioner

Versus

State of Chhattisgarh through District Magistrate /Station
 House Officer, Out Post Rampur Police Station Kotwali Korba
 District Korba Chhattisgarh. **--- Respondent**

For the applicant	: Mr. Dharmesh Shrivastava, Advocate.
For the Respondent	: Mr. Chandresh Shrivastava, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****19.02.2019**

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 102/2016 registered at Police Station Kotwali, Outpost Rampur, Distt. Korba (C.G) for the offences punishable under Sections 409, 420 & 120-B of IPC and sections 4, 5 & 6 of Prize Chits and Money Circulation Scheme (Banning) Act.
2. The first bail application was dismissed on 09.08.2018
3. As per the prosecution case, a report was made by Tarachand Thakur that he had invested money in a Company named as Radiant Real Estate Works Pvt. Ltd., with an allurement that the money so deposited will be returned with high rate of interest. Subsequently, the name of company was changed as Sarvamangala Properties India Limited, but when the maturity time expired, the money was not

returned. It is the case of prosecution that the said circulation of money was without the permission of RBI or SEBI.

4. Learned counsel for the applicant submits that one of accused Ashok Kumar Shrivastava has been enlarged on bail by order passed by this Court on 21.01.2019 in M.Cr.C.No. 8982 of 2018 on the ground that out of 149 witnesses, only 25 witnesses have been examined. He further submits that the applicant is in jail since 08.02.2017 and looking to the delay in process of trial, he may be enlarged on bail.
 5. Per contra, learned State Counsel opposes the bail application. However, he is not able to dispute the fact that one of the director has been enlarged on bail by this Court on 21.01.2019
 6. Considering the fact that out of 149 witnesses, only 25 have been examined and number of witnesses are yet to be examined as also the fact that the applicant is in jail since 07.02.2016 and the trial may take time, I am inclined to allow the bail application, at this stage.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE