

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1668 of 2018

1. Meenadhar Verma S/o Kaleshwar Verma, Aged About 41 Years, Caste Kurmi, R/o Ward No. 3 Kailash Nagar, Kawardha, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh
2. Pardeshi (wrongly mentioned as Pardesh in the order sheet) Ram Patel S/o Bihari Lal, Aged About 35 Years, Caste Marar, R/o Village Benderchi, Police Station Kawardha, Tahsil Bodla, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through – District Magistrate, Kabirdham / Station House Officer, Police Station Boramdev, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicants– Shri Dharmesh Srivastava, Advocate.

For Non-applicant/State – Shri A.N. Bhakta, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

11-01-2019

1. At the outset, learned counsel for the applicants submits that applicant No.2 Pardeshi Ram Patel has been arrested, therefore, it is prayed that permission may be granted to withdraw his application.
2. Accordingly, the application under Section 438 of the Cr.P.C. filed on behalf of applicant No.2 Pardeshi Ram Patel is dismissed as withdrawn.
3. Applicant No.1 Meenadhar Verma is apprehending arrest in connection with Crime No.75/2016, registered at Police Station – Boramdev, District Kabirdham, Chhattisgarh for offence punishable under Section 420, 406, 34 of the IPC, Section 3, 4, 5 of the Prize Chits and Money circulation (Banning) Act, 1978 and Section 10 of Chhattisgarh Protection of Depositor's Interest Act, 2005.
4. It is submitted by learned counsel for applicant No.1 that applicant No.1 has been falsely implicated in this case. The applicant No.1 was merely an agent appointed by company Vee Realities India Limited and he was not one of the Directors or policy makers of the company. He has simply carried out the

instructions given and he is not one of the beneficiaries in all the deposits made by the investors. Therefore, it is prayed that the applicant No.1 may be benefited with grant of anticipatory bail.

5. Learned counsel for the State/non-applicant opposes the application submitting that number of persons have been cheated on account of the inducement given by this applicant, therefore, he is not entitled for grant of anticipatory bail.

6. Heard learned counsel for the parties and perused the case diary.

7. It is alleged that this applicant in capacity of agent of Vee Realities India Limited gave inducement to the innocent villagers to make deposit in the fraudulent schemes, because of which complainant Jhulabai and others deposited amount in such schemes which were lost and the offices of the company were closed.

8. After considering on the entire material present in the case diary and as the role of applicant No.1 in this case has clearly mentioned as that of an agent, I am of this view that he should be benefited with grant of anticipatory bail.

9. Accordingly, the prayer made by applicant No.1 Meenadhar Verma for grant of anticipatory bail in this application is allowed. It is directed that in the event of arrest of applicant No.1 Meenadhar Verma in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. This applicant shall also abide by the following conditions :

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the

case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge