

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3 of 2019**

Saleem Khan S/o Iliyas Khan Aged About 39 Years R/o 33c/ House No. 701, Reader Food ,park ,keshasi Naka ,police Station Dayardhar ,district Thane Mumbai Maharashtra, District : Mumbai, Maharashtra. ---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Civil Lines ,district Raipur Chhattisgarh., District : Raipur, Chhattisgarh . ---- **Respondent**

MCRC No. 5 of 2019

Sakir Abdul Pathan S/o Abdul Gaffar Pathan Aged About 39 Years Occ Estate Agent, R/o B Type Bldg. 15, Room No. 6, Sector 6 Vashi, Navi Mumbai, Maharashtra., District : Mumbai, Maharashtra . ---- **Applicant**

Versus

State Of Chhattisgarh Through Police Station Civil Lines, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh . ---- **Respondent**

ALONG WITH**MCRC No. 1553 of 2019**

Amidau Konan S/o Moran Brown Aged About 38 Years R/o Flat No. 1302, Riddhi Siddhi Residency, Ulve Sector 9, P. S. Nahnava, Mumbai District Mumbai M. H., District : Mumbai, Maharashtra . ---- **Applicant**

Versus

State Of Chhattisgarh Through The Police Station Civil Lines, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh . ---- **Respondent**

For the Applicants	:	Shri Praveen Das, Advocate
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**05/04/2019**

1. Above mentioned three bail applications arise out of a common Crime No.515/2018 registered at Police Station Civil Lines, District Raipur for the offence punishable under Sections 420, 465, 467, 468, 471/34 & 120(b) of IPC, therefore, they are being heard analogously and decided by this common order.

2. The applicants have preferred these first bail application under Section 439 of CrPC and there is no bail applications are pending before any other Court.
3. Case of the prosecution, in brief is that complainants Anil Khandelwal and Rajnish Dwivedi are the Proprietor of Kava Drugs Distributors. They had given supply order of herbal nuts known as 'Mogembo Seeds' to Royal Trading Merchant. Co-accused Priyanka Jain as the partner of the said merchant. On saying of Priyanka Jain complainants deposited Rs. 10 Lakhs in the account of Royal Trading Masala Company. As per the KYC Form the account of Royal Trading Masala Company was operated by applicant Saleem Khan. Applicant Sakir Abdul Pathan had taken a house on rent for Royal Trading Masala Company. Applicant Amidau Konan met with complainants at Raipur Airport stating that his name is David Moris for certifying the quality of the seeds. The said merchant did not supply the entire quantity of seeds as per understanding to the complainants.
4. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
6. Looking to the facts and circumstances of the case, looking to this fact that Rs.10 Lakhs has been deposited in the account of Royal Trading Masala Company, applicant Saleem Khan is the Proprietor of Royal Trading Masala Company, thus the bail application of Saleem Khan is rejected.
7. Looking to the facts and circumstances of the case, looking to the evidence available on record against the applicants Sakir Abdul Pathan and Amidau Konan it is ordered that if the applicants **Sakir Abdul Pathan** and **Amidau Konan** furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- each to the satisfaction of the trial Court concerned with the condition that they shall not involve in similar type of crime in future, they shall be released on bail.
8. Applicant Amidau Konan shall not leave the territory of India without obtaining the permission from the trial Court.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge