

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 909 of 2020

Mansingh Tekam S/o Shatruhan Singh Tekam Aged About 40 Years
R/o Village - Boriya Mokasa, Police Station - Khadgaon, Civil And
Revenue Rajnandgaon Chhattisgarh, Present Address Rewadih,
Police Station - Lalbag, District - Rajnandgaon, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
- City Kotwali, District - Rajnandgaon Chhattisgarh

---- Respondent

For applicant – Shri Shrawan Agrawal, Advocate.
For State- Shri Avinash Singh, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/02/2020

1. This is fourth bail application under Section 439 of Cr.P.C. The first bail application was dismissed on 31/01/2017. The second bail application was dismissed on 21/06/2017 and third bail application was dismissed as withdrawn on 21/08/2018.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 528/2016 registered in Police Station City Kotwali, Distt. Rajnandgaon (C.G.). for offence punishable under sections 420, 406, 409, 120-B/34 of IPC and Section 3 & 4 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978.
3. As per the prosecution case, a compliant was made by Rakesh Kumar Kurre on 3/08/2016 that the applicant has purchased 3 bonds in the name his mother from Guru Sai Real Estate and Applied Limited by payment of amount of Rs.2,50,000/- and it was assured that the amount will be returned with high value returns. Subsequently, the name of Guru

Sai Real Estate and Applied Ltd. was changed as Sadguru Sai Civil Construction Limited. However, thereafter, the amount was not returned and the office was closed. It is alleged that the said circulation of money was made without sanction of the RBI or SEBI and thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant is in jail since 2/11/2016. It is stated that other co-accused Damanram and Lakhan Say Tekam have been enlarged on bail. It is stated that trial is not concluded, therefore the applicant may be released on bail.

5. Learned State counsel do not dispute the fact that other co-accused Damanram and Lakhan Say Tekam have been enlarged on bail.

6. Considering the fact that the applicant is in jail since 2/11/2016 and the trial is not concluded, other co-accused Damanram and Lakhan Say Tekam have been enlarged on bail and also considering the pre-trial detention of the applicant, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE