

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCANo. 308 of 2020

1. Keshav Jaiswal S/o Chhote Lal Jaiswal Aged About 42 Years
Caste Kalar, R/o Village Mohanpara, Akaltara, Police Station
Akaltara, District Janjgir Champa Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police
Station Bhupdeopur, District Raigarh Chhattisgarh

---- Respondent

For Applicant Mr. Rajeev Kumar Dubey, Advocate

For Respondent /State Mr. Gagan Tiwari, Dy. Govt. Advocate

Proceedings through Video Conferencing

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

13/8/2020

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.22/2017, registered at Police Station Bhupdeopur, District Raigarh, for offence punishable under Sections 6 & 10 of the Chhattisgarh Protection of Depositors' Interest Act, 2005 (Chhattisgarh Nikshepakon Ke Hiton Ka Sanrakshan Adhiniyam) (for brevity 'the Act') and under Sections 420/120-B & 409/120-B of the Indian Penal Code.
2. Applicant along with other accused persons namely; Rajesh Tripathi, Pradeep Kumar Jain, Damrudhar Dansena & Neeraj Goswami have obtained deposits from different depositors promising them to double the amount within short time. The fraud has been done in the name of Pulse Gold Real Estate India

Limited.

3. Section 15 of the Act creates bar to exercise power under Section 438 of the Cr.P.C. Moreover, the charge sheet has been filed against other accused persons by showing that the applicant is absconding.
4. For the reasons stated hereinabove, this Court is not inclined to extend the benefit of Section 438 of the Cr.P.C. to the applicant. Accordingly, the bail application is rejected. The applicant may surrender and apply for regular bail before the trial Court. In such eventuality the bail application under Section 439 of the Cr.P.C. be considered and decided expeditiously, in accordance with law and on its own merits.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri