

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1552 of 2020**

- Chandrika Prasad Sonbarsa S/o Rangnath Sahu Aged About 54 Years R/o Village Joundi, P. S. Gobara Nawapara, District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Mandir Hasaud, District Raipur Chhattisgarh

---- Respondent

&**MCRC No. 1736 of 2020**

- Rajendra Kumar Salam S/o Shri Duryodhan Salam Aged About 40 Years R/o Gidhpahar, Police Station Narharpur, District Kanker Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Raipur, District Raipur Chhattisgarh

---- Respondent

For respective Applicants	:	Shri Raghvendra Pradhan and Shri Sumit Singh Rathore, Advocates
For State	:	Shri Alok Bakshi, Addl. Adv. General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/08/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.590/2019 registered at Police Station – Mandir Hasaud, District – Raipur (C.G.) for alleged commission of offences under Section 420 / 34 of IPC.
2. Prosecution story is that the applicants, with intention to cheat the

complainant that the complainant will be getting huge return by use of magic point, huge amount of Rs.9,50,000/- was collected from the complainant and that amount was never returned, though certain cheques were given and one of those cheques when honoured, got bounced.

3. Learned counsel for the applicants submit that the applicants have not committed any offence. The complainant had invested his money in various schemes. They would submit that in the present case, the entire case is only of the offence of cheating. It is further submitted that investigation is complete and charge sheet has been filed, therefore, the applicants may be granted bail as they are not likely to abscond or tamper with the prosecution witnesses.

4. On the other hand, learned State counsel opposes bail application and submits that the material on record, challan and case diary show that from time to time, the applicants cheated the complainant by collecting money from time to time amounting to Rs.9,50,000/- and that amount was never intended to be returned. Some cheques were given but at the same time, they asked the complainant not to honour the cheques and one of those cheques when honoured, got bounced. Therefore, this amounts to cheating by the applicants.

5. Considering the nature of allegations, amount involved and that investigation is complete and charge sheet has been filed, I am inclined to grant bail to the applicants.

6. Accordingly, both the bail applications are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) They shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge