

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1875 of 2020**

- Dharmendra Singh Songara S/o Narendra Singh Songara, aged 40 years, R/o Teachers Colony, Brij Nagar, Ujjain (M.P.) Mo. No.9300200978.

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Police Station Ganj, District Raipur (C.G.).

---- Respondent

For Applicant	:	Shri N. Naha Roy, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/06/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.23/2016, registered at Police Station - Ganj, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120-B IPC.
2. The allegation against the present applicant is that he being the Director of company styled as Arogya Developers and Allayed Company Ltd (for short 'the Company'), took the money from complainant Bodhiram Sahu on the pretext of tripling the money but the present applicant neither paid the interest nor principal and fled away after taking money. Based on this, the offence has been registered. The present applicant is in custody since 11.01.2017.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the present applicant is not main Director of the Company though has been shown to be patron of the Company and has not taken any principal decision at the helms of affairs of the Company. He also submits that the recording of evidence has not yet commenced though the applicant is in custody since 11.01.2017 and there is no likelihood of his case being decided in near future. Therefore, he may also be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. Learned counsel submits that the applicant has taken money not only from the complainant but also from various persons in the capacity of Director of the Company and the company is not registered.
5. I have heard learned counsel for the parties and perused record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the present applicant is in custody since 11.01.2017 and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.2,00,000/- (Rs. Two Lac only) with one local surety for the like amount to the satisfaction of the trial

Court for his appearance before the said Court as and when directed till the disposal of the trial.

8. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde