

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4234 of 2020**

- Kawal Ram Dewangan, son of late Shri Nammuram Dewangan, aged about 63 years, resident of Dewangan Hotel, Ramnagar Supela, Bhilai, District Durg Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through S. H. O. - Police Station - Supela, District Durg Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Purnendra Khicharia, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.08.2020**

1. The applicant has filed this **First Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 976/2019 registered at Police Station : Supela, District Durg (C.G.) for the offence punishable under Section 420, 409, 120B, 34 of the IPC, Section 3, 4, 5, 6(1) of the Prize Chits and Money Circulation Schemes (Banning) Act and Section 10 of Chhattisgarh Protection of Depositors' Interest Act.
2. As per the prosecution case, the allegation against the present applicant is that the present applicant along with

co-accused has promised the complainant and other persons to give them profit of interest of 10-12 % after depositing the money in his company namely Bangda Real Estate Infra Limited Company but, after maturity, they did not refund the said money. Based on that offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the present applicant has given his resignation from the company in the year 2016 and the said money has been obtained by the other director of the company. He next added in his submission that the applicant is an old person and is in jail since 25.02.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application submitting that even the applicant has given his resignation from the company in the year 2016 but the same fraudulent act was continued since 2013 and at that time the present applicant was the director of the said company, therefore, the present applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.

6. Considering the totality of the facts and circumstances of the case, nature and gravity of the case and particularly, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu