

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4513 of 2020

- Manoj Agnihotri, S/o. Chandra Prakash, Aged about 50 years, R/o. Plot No.52, Vidyanand Society, Narendra Nagar, 25 Nagpur, Tahsil and District Nagpur Maharashtra

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Balod, district Balod CG

---- Respondent

For Applicant	: Shri B.P.Singh, Advocate
For Respondent /State	: Shri H.S.Ahluwalia, Dy. AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

19/08/2020

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 216/2018 registered at police station Balod District Balod (CG) for the offence punishable under Sections 420,467,468,471,406 and 34 IPC and Sections 3,4,5 of Inami Chit fund Money Circulation Act and Section 10 of Protection of Chhattisgarh Depositors Act, 2005.

As per prosecution case, applicant and the co-accused persons were shareholders of a company. It is alleged that the applicant was the promoter in the said company and have cheated Rs. 28,06.590/- from the investors.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 6522/2019 vide order dated 3.12.2019 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 07.01.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 1,00,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge