

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7337 of 2019

- Rajvir Kotiya S/o Lakhan Singh Kotiya Aged About 33 Years R/o Shivanagar Colony, Saipau, Distt. Dhaulpur Rajasthan . Present Address Flat No. 611, Block Pushajali Tower - C , Delhi Gate Agra, P.S. Hariparwan Agra, Distt. - Agra Uttar Pradesh.....(In Jail),

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station - Ramanujganj Distt. - Balrampur Ramanujganj Chhattisgarh....(Non Applicant)

---- Respondent

For Applicant : Shri Soumitra Kesarwani, Advocate
For Respondent/State : Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/01/2020

The applicant has filed this 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. 68/2019 registered at police station Ramanujganj, District Balrampur (CG) for the offence punishable under Sections 420,34 IPC and Section 10 of the Nikshepkon Ke *Hiton Ka Sanrakshan* Adhiniyam.

Prosecution case in brief is that report was lodged by the complainant against the applicant that the applicant along with co-accused persons have collected money in the name of Excellent Green Forest India Limited Plant and Agriculture Product Bank and

issued bonds to the customers who have deposited the money and thereafter closed the bank and fled away.

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. 6616/2019 vide order dated 12.12.2019 and therefore the present applicant may also be granted similar benefit. He submits that the applicant is in jail since 07.04.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge