

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7437 of 2019**

- Dharmendra Singh Songara S/o Narendra Singh Songara, aged about 39 years, R/o 34 Teacher Colony Bad Nagar Ujjain, District Ujjain (M.P.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station City Kotwali, Dhamtari, District Dhamtari (C.G.)

---- Respondent

For Applicant	:	Shri Tarun Dadsena, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****13/01/2020**

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.45/2018, registered at Police Station - City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Sections 420, 120-B, 467, 468 IPC, Sections 6, 10 of the Chhattisgarh Protection of Depositors Interest Act, 2005 and Sections 4, 5, 6 of the Prize Cheats and Money Circulation Schemes (Banning) Act, 1978.
2. The allegation against the present applicant is that he along with other Directors of Arogya Developers Company collected huge amount from different persons on the pretext of doubling the amount and high rate of interest. Further allegation is that he neither paid the principal amount nor interest to the investor and thereby committed cheating.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that the applicant was an agent of the company and, thereafter he was promoted to the post of Zonal Manager. He also submits that the applicant is in custody since 19.02.2018, the evidence has not been commenced till date, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. He submits that the applicant in the capacity of Director fraudulently obtained crores of rupees.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 19.02.2018, the offence is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge