

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1815 of 2021**

Sumit Verma S/o Shri Tikamchand Verma Aged About 26
Years R/o 61, Hukumchand Colony, Police Station Malharganj,
District Indore Madhya Pradesh., District : Indore, Madhya
Pradesh --- Applicant

Versus

State of Chhattisgarh through Station House Officer Kotwali,
Ambikapur District : Surguja (Ambikapur), Chhattisgarh
--- Respondent

For the applicant	:	Mr.Rajendra Khanna, Advocate.
For the State	:	Mr.Rahul Jha, Govt. Advocate.
For the objector	:	Mr.Nishikant Sinha, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****27.07.2021**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in Crime No.917/2020 of Police Station Kotwali Ambikapur, Distt. Surguja (C.G) for the offences punishable under Sections 420, 34 of IPC and section 66-D of the I.T. Act.
2. As per the prosecution case, one Akhilesh Kant Soni made a report that he received a phone call that if he invests in the trade he will get the amount with higher returns. Consequently initially Ajay Ojha, Akhilesh Kant Soni deposited an amount of Rs.13,000/-. A screen shot was sent wherein the profit to the extent of Rs.53,000/- was shown and he was asked to deposit the GST thereon. Accordingly, the amount of GST Rs.13000/- was paid. Subsequently again

screen shot was sent wherein it was shown that more than Rs.2 lakhs has been made profit and on that GST was deposited and eventually again screen shots were sent wherein the outcome of the transactions were shown to be profits on which the complainant was asked to deposit the GST. Lastly he was asked to deposit the GST Rs.7 to 8 lakhs. Thereafter the complainant on suspicion having enquired about the existence of the Company it was found that no company was existing and he has been deceived. The amount of GST was deposited in different accounts of Nayan Deep, Pinki, Anita Ojha. When the investigation was conducted, the account holder of son of Anita Ojha was interrogated and eventually it was found that present applicant Sumit Verma has opened the company and employed a different person with an assurance that 10% of the amount so received would be paid and accordingly, the fraud has been committed.

3. Learned counsel for the applicant would submit that the main culprits are at large and the present applicant has only given the premises on rent, therefore, instead of apprehending the main culprit, the present applicant who has given the premises on rent has been roped in crime. He submits that the applicant is in jail since 29.01.2020 and he may be enlarged on bail.
4. Per contra, learned State Counsel as also learned counsel for the objector opposes the bail application. Learned State Counsel read out the statement of FIR of Akhilesh Kant Sony and thereafter the memorandum statements of the present applicant.

5. Having considered the report of the complainant and the way the offence has been committed by alluring the complainant to deposit the amount of GST in bank accounts of different persons, I do not find it a fit case to enlarge the applicant on bail. Accordingly, the application is rejected.

**Sd/-
GOUTAM BHADURI
JUDGE**

Rao