

# Ganesh vs The State Of Madhya Pradesh on 4 February, 2025

**Author: Vishal Dhagat**

**Bench: Vishal Dhagat**

NEUTRAL CITATION NO. 2025:MPHC-JBP:5298

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE VISHAL DHAGAT  
ON THE 4<sup>th</sup> OF FEBRUARY, 2025  
MISC. CRIMINAL CASE No. 3052 of 2025  
GANESH  
Versus  
THE STATE OF MADHYA PRADESH

Appearance:  
Shri Subodh Kathar - Advocate for applicant.  
Shri Pramod Pandey- Govt. Advocate for respondent/State.  
  
Shri Rajendra Kushwaha - Advocate for objector.

## ORDER

This is the first application filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR No.509/2024, registered at Police Station-Sausar, District Chhindwara (M.P.) for the offences under Sections 420, 406, 465, 471, 120(B), 294, 506 of Indian Penal Code, under Section 6(1) of Madhya Pradesh Nikshepakon Ke Hiton Ka Sanrakshan Adhiniyam, 2000, under Section 21(1)(2)(3), 22, 23 of Aviniyomit Nikshep Pavandi Adhiniyam, 2019 and under Section 4 and 5 of Inami Chit or Dhan Parichalan Scheme (Pavandi) Adhiniyam, 1978.

2. Learned counsel appearing for applicant submitted that applicant was an agent and received commission on basis of investment made in the company. All the money was invested in the company and applicant used to NEUTRAL CITATION NO. 2025:MPHC-JBP:5298 2 MCRC-3052-2025 get commission on investment amount. It is submitted that other than commission amount, no money was transacted in the account of applicant. Applicant did not received any kickbacks. He was merely working for his livelihood. There is no other criminal records of applicant. In these circumstances, he may be released on bail.

3. Learned Government Advocate appearing for the State as well as counsel for objector opposed the application for grant of bail. It is submitted that huge amount of money has been embezzled.

Applicant used to attend the meeting and he was in conspiracy with Directors of the company. It is submitted that Directors of the company are not traceable. One of the Directors is in jail in Shimla.

4. Heard the counsel for the parties.

5. On going through facts of the case, it is found that applicant was only acting as an agent and was getting commission on investment made by investors. Embezzled money did not find rout to the account of applicant.

6. Considering aforesaid circumstances of the case, bail application filed by applicant is allowed. It is directed that the applicant shall be released on bail on furnishing a bail bond of Rs. 50,000/- (Rs. Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of the trial Court concerned for his regular appearance before Court on all such dates as may be fixed in this regard during pendency of trial.

7. The applicant shall also abide by the following conditions of NEUTRAL CITATION NO. 2025:MPHC-JBP:5298 3 MCRC-3052-2025 Section 480(3) B.N.S.S. as under:-

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter;

(b) that such person shall not commit any offence similar to the offence of which he is accused, or suspected of the commission of which he is suspected and;

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. C.C. as per rules.

(VISHAL DHAGAT) JUDGE sp/-