

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s).5211/2020

(Arising out of impugned final judgment and order dated 25-09-2020 in MCRC No.13455/2020 passed by the High Court Of M.P Principal Seat At Jabalpur)

BRIJESH RAIKWAR

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

(IA No. 108994/2020 - EXEMPTION FROM FILING AFFIDAVIT, IA No.108990/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.108991/2020 - EXEMPTION FROM FILING O.T.)

WITH

SLP(Cr1) No.5355/2020 (II-A)

(IA No.111800/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.111801/2020-EXEMPTION FROM FILING O.T.)

Date : 05-01-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. V. Giri, Sr. Adv.
Mr. Deepak Prakash, AOR
Mr. Subhash Choudhary, Adv.
Mr. Nachiketa Vajpayee, Adv.
Ms. Divyangna Malik, Adv.
Ms. Perna Robin, Adv.

For Respondent(s)

Mr. Arjun Garg, AOR
Mr. Aakash Nandolia, Adv.UPON hearing the counsel the Court made the following
O R D E RHeard learned counsel for the petitioners as well as learned
counsel for the State.

These special leave petitions have been filed against the order of the High Court of Madhya Pradesh rejecting the bail application filed under Section 439 of Cr.P.C. Petitioners are accused in case under Sections 420, 468, 471 of IPC and Section 66-D of the I.T. Act.

Learned counsel for the petitioners submits that several other co-accused have been granted anticipatory bail/regular bail by this Court. He has referred to different orders passed by this Court which are filed alongwith these special leave petitions.

Learned counsel appearing for the State submits that the co-accused have been granted bail by this Court directing deposit of certain amounts. He submits that as on date, on the basis of the complaints received, it come in the investigation that total amount found to have been deposited by the investors is Rs.3,66,22,600/- (Rupees three crore sixty six lakh twenty two thousand six hundred). He submits that the petitioners be asked to deposit a substantial amount before being released.

Considering the facts of present case and the fact that other co-accused have already been released on bail/anticipatory bail on terms and conditions, we are of the view that petitioners be also released on bail subject to following conditions:

(1) That each petitioner shall deposit an amount of Rs.50 lakhs (Rupees fifty lakhs) before the Registry of this Court within a period of six months from today which shall be invested in an interest bearing account of a nationalised bank.

(2) That the accused shall not commit any offence similar to the offence of which he is accused;

(3) That the accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(4) That the accused shall join further investigation as and when required by the Investigating Officer or by the Enforcement Directorate;

(5) That the accused will deposit their passport with the Registry of this Court within a period of one week from today. If it is with the Jabalpur Trial Court or with any other authority, they shall deposit the aforesaid passport with the Registry of this Court within the aforestated period;

(6) That the accused shall not in any manner use any digital wallet in their name or in any of their associates' name or do any trading or mining to misappropriate BITCOIN in any manner whatsoever.

(7) That the accused will report on every Monday of a week to the concerned Police Station at Jabalpur.

The special leave petitions are disposed of accordingly alongwith the pending application(s).

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER