

GIB/TN/BAJAN LAL BISHNO/30.04.2021/HC-222

High Court Category : BAIL APPLICATION

State : Tamil Nadu

Order No.: GIB/TN/BAJAN LAL BISHNO/30.04.2021/HC-222

Name of Entry :
BAJAN LAL BISHNOI

Date : 30-04-2021

Breif Issue :

FACTS AND ISSUE OF THE CASE:

In this case the petitioner filed writ petition on the ground that he was detained and arrested illegally and was praying for bail. He submitted that he was merely a middleman in procuring the credentials of the defunct companies and passing on the same to other persons for commission and had not filed any returns or beneficiary of tax evasion. The department submitted that petitioner, knowingly, had indulged in the act of providing the credentials of the defunct companies for monetary value which was utilised in getting tax remission by the individuals without there being any supply of goods. It was also alleged that the petitioner had not only received illegal gains from several persons, but also utilised his mobile number for communication for opening various bank accounts and also filed returns.

Decision of Advance Ruling Authority :

DECISION:

In the case on hand, it is the insistent stand of the respondent that the value of fraud is to the tune of around ? 55 Crores - A perusal of record shows that there are serious allegations against the present petitioner, who is the one of the main accused, that he along with co-accused, by perpetrating fraud and through paper transactions have claimed the relief to the tune of more than ? 55 Crores. The case is at preliminary stage and enlarging the petitioner at this point of time on bail would have a detrimental effect on the investigation.

Further, without his role as middleman, the whole crime could not have been perpetrated. The nexus of very many persons within the administrative framework could not be ruled out and a proper and full-fledged investigation is necessary to unearth the larger conspiracy involved behind the above. It is not as if the petitioner has been under incarceration for a long length of time. In such a backdrop, this Court is of the considered view that the prayer for grant of bail by the petitioner cannot be acceded to.

Petition dismissed.