

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2513 of 2015**

- Haribhajan Das Mahant S/o Sukhram, Aged About 60 years, Campus Manager District Co-Operative Central Bank Marya, Ambikapur P.S. - Ambikapur Distt. - Surguja Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station,- Rajpur Distt. - Balrampur Civil Distt. - Surguja Chhattisgarh

---- Respondent

For Applicant::

Shri Bhupendra Singh, Advocate

For Respondent/State.

Shri Om. P. Sahu, Deputy Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/06/2015**

Heard

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.141/2014 registered at Police Station Rajpur, Distt. Balrampur for the offences punishable under Sections 409, 420, 467 & 468/34 of the Indian Penal Code.

(2) Case of the prosecution in brief is that applicant, while working as Campus Manager of Dhandhapur Sahkari Samiti in the year 2013-2014, along with other co-accused persons misappropriated Rs. 67,68,073.625/- in the purchase of paddy

and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has not committed any offence, in-fact he filed a complaint before the Jurisdictional Criminal Court, on the basis of which, order dated 16.07.2014 was passed directing the Police Station – Rajpur to investigate the matter and submit its report before the trial Court. He further submits that applicant is in jail since 7.4.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that applicant is equally responsible for the commission of offence as he is the main culprit of the said offence and, therefore, the applicant is not entitled to be released on bail.

(5) Looking to the nature and gravity of the offence; and the manner in which the huge public money is said to have been misappropriated by the applicant and co-accused; I am not inclined to release the applicant on bail. Therefore, the bail application is rejected.

(6) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge