

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3286 of 2015**

Kumar Prasad Sahu S/o Shri Ujit Ram Sahu, aged About 57 years, R/o Village - Tundara, P.S. - Gidhouri, Civil & Revenue Distt. Baloudabajar Bhatapara Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kasdol, Distt. - Baloudabazar - Bhatapara Chhattisgarh

---- Respondent

For Applicant:	Shri Awadh Tripathi, Advocate.
For Non-Applicant/State:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/07/2015**

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. 59/2015 registered at Police Station – Kasdol, Distt. Baloudabajar-Bhatapara for the offences punishable under Sections 420 & 409/34 of the Indian Penal Code & Section 3/7 of the Essential Commodities Act, 1955.

(2) Case of the prosecution, in brief, is that between September, 2012 to April, 2013, Salesman of Sewa Sahkari

Samiti, Katgi while running the Fair Price Shop, committed certain irregularities; and applicant being Manager of the said Sahkari Samiti, Katgi since 2013, failed to supervise and control the same and, thereby cheating and misappropriation was committed.

(3) Counsel for the applicant submits that the applicant has not committed any offence as he was the Manager of Sewa Sahkari Samiti, Katgi and he is not responsible for that cheating and misappropriation. He further submits that investigation has been completed; FIR has been registered against the applicant on 31.1.2015 and he has been arrested on 21.05.2015 and since then he is in custody; charge sheet has also been filed; and it is the Kranti Kumar Verma, who is allegedly committed the offence and the applicant is only Manager of the said Sewa Sahkari Samiti, Katgi; no useful purpose would be served in detaining him in jail and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; considering the role of the present applicant in the crime in question; further considering the facts that applicant is in jail since 21.05.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-