

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4280 of 2015

Sanjeev Kumar Chandel, S/o Shri Rajkumar Chandel, aged about 29 years, R/o Near Chetan Chowk, Lohartalaiya Para, Pendra, P.S. Pendra, Tehsil Pendra, Civil & Revenue District Bilaspur (Chhattisgarh)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Korba, Police Chowki Manikpur, Police Station Kotwali, Korba, District Korba (Chhattisgarh)

---- Non-applicant

For Applicant:	Mr. Ashok Soni, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.78/2015, registered at Police Chowki Manikpur, Police Station Kotwali, Korba, Distt. Korba, for the offence punishable under Sections 406 and 420 of the IPC.
2. Case of the prosecution, in brief, is that one year prior to 1-4-2014, the applicant while working as Godown In-charge with the complainant company M/s. Touchstone Services Private Limited had committed breach of trust of Rs.1,26,219/- and thereby committed the offence under Section 406 of the IPC.
3. Learned counsel for the applicant submits that FIR was lodged on 1-4-2014 in which the police found no offence and it was closed, thereafter on 17-11-2014, an application under Section 156 (3) of the CrPC was filed and the applicant has been arrested by the police after registration of FIR.

He further submits that the applicant has not committed any offence, he has been falsely implicated in the crime, challan has to be filed and he is in jail since 29-7-2015. He also submits that the applicant will co-operate in the investigation.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, extent of delay in lodging the FIR and earlier investigation by the police, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge