

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6410 of 2015

Santosh Kumar, aged about 38 years, S/o. Shiv Dayal, Caste-Dhobi, R/o of Village Dhitori, Tehsil Kartala, P.S. Urga, District Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police Station- Urga, District – Korba (C.G.)

---- Respondent

For Applicant	:-	Shri Jitendra Shrivastava, Advocate
For Respondent/State	:-	Shri Neeraj Jain, Government Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 43/2013(wrongly mentioned as 425/2013) registered at Police Station – Urga, District –Korba (C.G.) for the offence punishable under Sections 409,420,467,468 r/ w 34 of IPC.
2. As per the prosecution case, in brief, is that the applicant Santosh Kumar who was working as computer operator of Paddy Purchase Centre, Umreli, alongwith other applicants have committed embezzlement of 4637.60 quintal of paddy amounting to Rs. 57.97 lakhs and thereby the offence has been committed.
3. Counsel for the applicant submits that the applicant was only a computer operator and on the basis of slip issued by Khomchandra Patel, the applicant had made the entry in the computer and he has no role in purchasing of the paddy and as such he has falsely been

implicated in the crime in question and therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Having regard to the fact that supplementary charge sheet has been filed against the applicant and perusal of the case diary would show that the enquiry was made at the behest of Collector. Considering the fact that the slip was issued by Khomchandra Patel and only entry was made by the applicant in the computer and the entire cheques were also made by the other co-accused without any observation on merits and considering the detention period of applicant, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge