

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.6624 of 2015**

Kunal Panika, aged about 24 years, S/o Shri Chouhaddu Panika, R/o. Village: Turrekela, Police Station : Turrekela, Distt Balanjgir (Orissa) presently at Oriya Chal, Near Pani Tanki Raipur, Tahsil Civil & Revenue District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station: Devendra Nagar, District : Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Y.C. Sharma, Advocate
For Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

21/12/2015

1. This is the second 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.68/2015, registered at Police Station-Devendra Nagar, Raipur, Distt.Raipur (CG), for the offence punishable under Section 381 of the IPC.
2. First bail application of the applicant has been dismissed as withdrawn with liberty to repeat after framing of charge.
3. As per case of the prosecution, the applicant has committed criminal breach of trust of ₹ 1,94,000/- while working with Shri Shivam Cloth Store, Raipur.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and since he met with an accident, he could not deposit the amount in the bank. He is in jail since 23.6.2015, no useful purpose will be served by further detaining him in jail and charge-sheet has already been filed.

5. On the other hand, learned counsel for the State would oppose the bail application.
6. I have heard learned counsel appearing for the parties and perused the case diary.
7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; his pre-trial detention; his defence and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, second bail application filed under Section 439 of the Cr.P.C. is allowed.
9. It is directed that the applicant shall 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 trial Court, for his appearance as and when directed.
10. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-