

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 721 of 2015

Gopal Agrawal S/o Shyam Agrawal Aged About 45 Years Occupation Music Composer, Producer And Writer Mumbai Maharashtra Permanent R/o Village Dhurkot, Police Station Dabhara, District Janjgir Champa, Civil And Rev. Distt. Janjgir Champa Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through The Police Station Dabhara, District Janjgir Champa Chhattisgarh.

---- Respondent

Shri S.C.Verma, counsel for the applicant/s.
Shri Satish Gupta, Dy.A.G. for the State.
Shri Prafull N. Bharat, counsel for the objector.

Order On Board

07/09/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.139/15 registered at police station – Dabhara, Distt. - Janjgir – Champa, Chhattisgarh for alleged commission of offence under Section 409, 34 of IPC.

2. Case of the prosecution is that the applicant, along with co-accused, is involved in misappropriation of huge quantity of paddy which was given to the applicant and other co-accused for milling purposes.

3. Learned counsel for the applicant submits that in so far as the present applicant is concerned, merely because he happened to be the son of the Proprietor of the Mill, in whose name, agreement has been executed and who holds the Mill, he has been involved. It is further submitted that in none of the document of consignment or supply orders, name of the applicant is there. A dispute had arisen between the officers of the District Marketing Office with regard to execution of agreement, which according to the applicant, was false document, the applicant and his other family members are involved.

4. On the other hand, learned State counsel and the counsel for the objector oppose the prayer for grant of bail and submit that according to the material so far been collected, it has been found that a huge amount of paddy was handed over to the Mill of Smt. Rajkumari Agrawal, who being a lady, entrusted her sons namely Anish Agrawal and Gopal Agrawal, the present applicant for lifting, loading of paddy and returning rice after milling. It is submitted that huge quantity of paddy has been misappropriated by the applicant and other co-accused which was given for milling purposes.

5. Taking into consideration the nature and gravity of allegations and the role alleged to be played by the applicant and documents evidencing applicant being authorized by the Proprietor of the Mill, panchanama containing signature of the applicant, I am not inclined to grant anticipatory bail to the applicant.

6. The application is therefore rejected.

Sd/-

**Manindra Mohan Shrivastava
Judge**