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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2809 OF 2015**

Heera Lal Rawate S/o Balduram Rawate, aged about 25 years, caste Halba, R/o village Sirpur, Post, Police Station and Tahsil Dondi Lohara, Civil and Revenue District Balod (C.G.)

---Applicant

Versus

State of Chhattisgarh, Through Police Station Lalbagh, District Rajnandgaon (C.G.)

---Non-applicant

For Applicant	:	Mr. H.B. Agrawal, Sr. Advocate with Ms. Meera Jaiswal, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/06/2015**

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. 105/2015, registered at Police Station Lalbagh District Rajnandgaon (C.G.), for the offence punishable under Sections 420, 467, 468, 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that applicant and other two co-accused persons misappropriated an amount of Rs. 5,93,600/- from the private company known as Indian Agro Food Industries Private Limited and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that applicant has already deposited Rs. 1,09,000/- with

the Manager of the said Company. He would further submit that substantive investigation has already been completed and no useful purpose would be served by keeping him in jail. He would lastly submit that applicant is in jail since 15/04/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; pretrial detention of the applicant and also considering the subsequent deposit, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on 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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

