

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4200 OF 2015**

Roshan Ali S/o Kaushar Ali, aged about 27 years, Occupation-Labour, R/o Village-Sariya, Police Station & District (Revenue & Civil),-Raigarh, at present- Near Sarla Vila, Sindhi Colony, Raigarh, District (Revenue& Civil)-Raigarh (CG)

---Applicant**Versus**

State of Chhattisgarh Through : Police Station – City Kotwali, Raigarh, District (Revenue & Civil)-Raigarh (CG)

---Non-applicant

For Applicant	:	Mr. Anand Kesharwani, Advocate.
For-Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****24/08/2015**

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.318/2015, registered at Police Station-City Kotwali, Raigarh, Distt.Raigarh (C.G.), for the offence punishable under Section 408 of the IPC.

2. Case of the prosecution, in brief, is that, the present applicant is alleged to have misappropriated the amount to the tune of Rs.9,00,000/- owned by complainant Jitendra Kankharwal, which was allegedly given to the applicant to deliver the same to Navneet Jagatramka on 19.4.2015 and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has

not committed any offence and has been falsely implicated in the case. He would further submit that the amount in dispute has been recovered. He would also submit that in fact, the applicant was likely to deliver the amount to Navneet Jagatramka, but in the meantime, the police has arrested him, he is in jail since 21.4.2015 and charge-sheet has already been filed, therefore, he may be released on bail.

4. Learned State counsel 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; also considering the fact that the applicant is alleged to have misappropriated the huge amount being servant, which was given to him in trust, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-