

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4490 of 2015**

- Manoj Kumar Singh, S/o Maniram, aged about 35 years, Caste-Satnami, R/o – Village Hari Om Electronics Jashpur Road, Police Station & Tahsil- Pathalgaon, Revenue & Civil District – Jashpur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Pathalgaon, District Jashpur (C.G.)

---- Non-applicant

For Applicant: Mr. N.S. Dhurandhar, Advocate.
For Respondent/State: Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/10/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.10/2015 registered at Police Station Pathalgaon for the offences punishable under Sections 409, 201 & 477-A of Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant while working as Manager of the Shivam Motors at Patthalgaon from 10.4.2014 to 23.08.2014, collected Rs. 56,83,556/- but failed to deposit Rs. 28,99,356/- and thereby misappropriated the same.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has already deposited the entire amount and, as such, there is no amount outstanding to be deposited by the present applicant. He further submits that applicant is in jail since 07.04.2015; and the charge sheet has already been filed and the case is triable by Judicial Magistrate, First Class and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that applicant has misappropriated an amount of Rs. 28,99,356/- by not depositing the same and, therefore, he is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case and the manner in which applicant is said to have misappropriated an amount of Rs.28,99,356/-; and the other material collected by the prosecution against the applicant; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-