

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4687 OF 2015**

Manraj Singh, aged about 37 years, son of Shri Ransdai, caste Cherwa, resident of village Dhumadand, Police Station Chandaura, Tahsil Pratappur, Civil and Revenue District Surajpur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the Station House officer, Police Station Chandaura, Distt. Surajpur (C.G.)

---Non-applicant

For Applicant	:	Mr. Neeraj Kumar Mehta, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/09/2015**

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. 44/2015, registered at Police Station Chandaura, Distt. Surajpur (C.G.), for the offence punishable under Section 420 of the Indian Penal Code and Sections 3 & 7 of the Essential Commodities Act.

2. Case of the prosecution, in brief, is that, present applicant being Salesman of the Fair Price Shop, Dhumadand distributed food-grains under PDS to the Ration Card holders, who were already dead and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in

question. He would further submit that there is no charge of misappropriation against the applicant. He would further submit that applicant has distributed food-grains to Ration Card holders, as the applicant was not aware of the death of those original Ration Card holders. He would lastly submit that charge sheet has been filed and applicant is in jail since 09/06/2015 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; role of the present applicant in offence in question; pretrial detention of the applicant and charge sheet has already been filed, 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 trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE