

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5847 of 2015

Badhavan S/o Budhwar Singh, Aged About 42 Years R/o Village Murli, Out Post Hardi Bazar, Tahsil Pali, Civil And Revenue District Korba, District Korba (Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through, Station House Officer, Out Post Hardi Bazar, Police Station Kusmunda, District Korba (Chhattisgarh)

---- Respondent

For applicant - Shri Samir Singh, Advocate.
For Respondent/State – Shri Ashok Swarnkar, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/11/2015

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 197/2015 registered in Police Station Out Post Hardi Bazar, Police Station Kusmunda, District Korba (C.G.) for offence punishable under section 409 of IPC.
2. As per the prosecution case the applicant was working as Dakpal at village Murli, Hardi Bazar and he has misappropriated Rs.67222/- and thereafter when matter was reported, applicant has been arrested.
3. Learned counsel for the applicant submits that there has been misunderstanding in the calculation and he further submits that applicant has already deposited the amount of Rs.70,000/- in the post office and consequently no offence has been committed by the applicant and he is in jail since 24/09/2015, therefore he may released on bail.

4. Learned State counsel opposes the prayer for grant of bail, however do not dispute the fact that applicant has deposited amount of Rs.70,000/- with the post office and investigation has been carried out.

5. Taking into account the fact that all the evidence are in documentary nature and also the fact that amount has already been deposited, applicant is in jail since 24/09/2015, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE