

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4843 of 2015**

- Kunji Lal, S/o Bharat Lal Yadu, aged about 31 years, R/o Village-Lachhanpur, Post office – Lawan, Thana- Kasdol, Tehsil- Palari, Distt. Baloda Bazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through the Police Station Kasdol, Distt. Baloda Bazar-Bhatapara (C.G.)

---- Respondent

For Applicant: Mr. Deepak Jain, Advocate.
For Respondent/State: Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/09/2015**

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.172/2015 registered at Police Station Kasdol, Distt. Baloda Bazar-Bhatapara for the offences punishable under Sections 409 & 420 of the Indian Penal Code & Section 3/7 (1A)(2) of the Essential Commodity Act.

(2) Case of the prosecution, in brief, is that applicant while working as Salesman of the Govt. Fair Shop at village Tilda misappropriated various food articles worth of Rs. 2,61,000/- and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the offence in question and, as such, he is in custody since 6.8.2015 and, therefore, he may be released on bail.

(4) On the other hand, counsel for the State submits that applicant has embezzled/misappropriated the aforesaid amount but later on he has supplied the deficit food articles and the same has been distributed to the ration card holders.

(5) Taking into consideration the facts & circumstances of the case; further considering his subsequent bonafide act; pre-trial detention; substantial investigation has already been made; and no custodial interrogation is required; this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-