

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5153 of 2015**

Rayat Ali @ Rahet Ali Irani, S/o Shamim Ali Irani, aged about 28 years, R/o behind Collector Office, Satti Para Ambikapur, District Sarguja (C.G.)

....Applicant**Versus**

State Of Chhattisgarh Through Station House Officer-Police Station, Bhathapara City, District Baloda Bazar (C.G.)

---- Non-applicant

For Applicant:	Shri Ashok Kumar Shukla, Advocate.
For Respondent/State:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/10/2015**

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.133/2015 registered at Police Station Bhathapara City, District Baluda Bazar for the offences punishable under Sections 409, 420, 109, 414 & 120(B) of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is said to have instigated co-accused – Amrit Lal Kanwar, Chief Executive Officer, Janpad Panchayat, Bhatapara from 30.12.2014 to 23.03.2015 to commit offence of criminal breach of trust and thereby he committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence on record to connect the applicant, who is simply Jem Stone Seller, with the offence in question and nothing has been seized from the possession of the applicant. He further submits that applicant is in jail since 30.05.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, Counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case and the manner in which at the instance of applicant, co-accused Amrit Lal Kanwar, Chief Executive Officer, Janpad Panchayat, Bhatapara committed criminal breach of trust and the amount of ₹ 92,91,000/- was misappropriated, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-