

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 815 OF 2016**

Loknath Chakrabarty S/o Somnath Chakrabarty, aged 20 years, R/o Ward No. 13, Arbindo Nagar, P.S. Dakuni, Distt. Hugli (W.B.)

---Applicant**Versus**

State of Chhattisgarh, through PS Civil Lines, Civ. & Rev. Dist. Raipur (C.G.)

---Non-applicant

For Applicant : Mr. Devershi Thakur, Advocate
For-Non-applicant : Mr. Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/03/2016**

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. 779/2014, registered at Police Station Civil Lines, Dist. Raipur (C.G.), for the offence punishable under Sections 406, 414, 408 of the I.P.C.

2. Case of the prosecution, in brief, is that, applicant being the employee of Sumit Gupta absconded along with Rs. 44 Lakhs given by his employer and thereby committed criminal breach of trust.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that applicant is in jail since 21/12/2014 and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that applicant along with Rs. 44 Lakhs given by employer-Sumit Gupta absconded and that has been recovered from the present applicant and other co-accused.

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; and recovery of the said amount from the possession of the applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge