

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2193 of 2016**

Kamalram Ji S/o Kamal Lingaya, aged about 56 years. R/o Rajeev Gandhi ward, near Gupta Bhavan, Shanti Nagar Ward, Jagdalpur, Civil and Revenue District Bastar, Chhattisgarh.

---Applicant**Versus**

State of Chhattisgarh Through Police Station Karpawand, Civil and Revenue District Bastar, Chhattisgarh.

---Non-applicant

For Applicant	:	Shri Keshav Dewangan, Advocate.
For Non-applicant/ State:		Shri Dheeraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/04/2016**

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the Applicant, who has been arrested in connection with Crime No. 19 of 2016, registered at Police Station-Karpawand, District Bastar, Chhattisgarh for the offence punishable under Sections 409 and 420 of the Indian Penal Code.

2. The case of the prosecution, in brief, is that, the Applicant while posted as a Field Officer, Chhattisgarh State Gramin Bank, Branch Karpawand misappropriated an amount of Rs.10,54,000/- and thereby committed an offence.

3. Learned counsel for the Applicant submits that on account of mistake the amount was not deposited right in time, but on 27.12.2014 an amount of Rs.10,54,000/- alongwith interest was deposited and on a notice being issued for additional amount of interest i.e. Rs.10,650/-, the same was also deposited on 2.5.2014. Learned counsel further submits that thereafter a written complaint was made on 17.10.2015 with a delay of more than one year and the Applicant has been falsely implicated. The Applicant is in jail since 29.6.2015 and charge-sheet has been filed.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, role of the Applicant and bonafide act of the Applicant in depositing the amount with interest prior to lodging of the First Information Report on 17.10.2015, as well as the fact that the Applicant is in jail since 29.2.2016 and charge-sheet has been filed, this Court is of the opinion that present is a fit case, in which, the Applicant should be enlarged on regular bail. Accordingly, the bail application is allowed.

7. It is, therefore, directed that the Applicant be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one

surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Nimmi