

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3794 of 2016

1. Dhannulal, S/o. Ganguram Dewangan, aged about 34 years, Occupation- Labour, R/o. Village-Temri, P.S. - Nandghat, District – Bemetara (C.G.). At present R/o. Village and Post Nagpura, P.S. - Pulgaon, District – Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District Magistrate, Civil and Revenue District – Bemetara (C.G.)

---- Respondent

For Applicant	: Mr. Amiyakant Tiwari, Advocate
For Respondent/State	: Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/07/2016

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.82/2016, registered at Police Station – Nandghat, District – Bemetara (C.G.) for the offence punishable under Section 409, 420, 467, 468, 471/34 of Indian Penal Code and Section 66B of I.T. Act.
2. Case of the prosecution, in brief, is that a report was made by the Branch Manager of State Bank of India, Temri Branch against earlier Branch Manager that certain amount for crop insurance,

which came to the branch, the former Branch Manager, Buddhi Prakash Bangade transferred it to the different account holder and thereafter withdrew the same on the basis of withdrawal form signed by the account holder and benefited himself to the extent of Rs.18,59,741/-.

3. Learned counsel for the applicant submits that charge-sheet has been filed on 06.06.2016 and the applicant is in jail since 22.05.2016 and the entire allegation primarily are against Buddhi Prakash, who is the earlier Branch Manager and virtually it is stated that the applicant himself has been deceived. It is further submitted that similarly placed co-accused in this case has been enlarged on bail by this Court in M.Cr.C.No.2885/2016, vide order dated 16.06.2016, therefore, the applicant may also be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Perused the case diary and the charge-sheet. Considering the facts and circumstances of the case and nature of allegation and the fact no further investigation is necessary, the applicant is in jail since 22.05.2016 and similarly placed co-accused in this case has been enlarged on bail by this Court in M.Cr.C.No.2885/2016, vide order dated 16.06.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall 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 trial Court, for his appearance as and when directed.
9. Learned counsel for the applicant would submit that since in the rejection order, the name of the applicant shows as Dhannulal, therefore, the bail petition was filed in the name of Dhannulal but actually it is Chhannulal Dewangan, therefore, the name of the applicant may be read as Chhannulal Dewangan.
10. The State counsel do not object the same.
11. Taking into no objection made by the State counsel, as the charge-sheet has been filed, the name of the applicant - Dhannulal Dewangan be read as Chhannu Lal Dewangan.
12. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge