

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1912 of 2016

Devnath Yadav, S/o. Latel Yadav, Aged About 44 Years, R/o. Village Chorhadevi, Police Station- Ratanpur, Tahsil & District – Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station- Ratanpur, District – Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Malay Shrivastava, Advocate

For Respondent : Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.172/2015 registered at Police Station Ratanpur, Bilaspur (C.G.) for the offence punishable under Section 420, 407, 408, 467 of the Indian Penal Code and 3/7 of Essential Commodities Act.
2. Case of the prosecution, in brief, is that the applicant was running a Fair Price Shop which was allotted to Jai Bhawani Maa Mahila Bahu Sahakari Samiti, Chorhadevri and the applicant along-with other co-accused has embezzled 154.17 Quintal of rice and 5.93 Quintal of Sugar, therefore, the report was made against the applicant.
3. Learned counsel for the applicant would submit that the charge sheet has been filed and the other co-accused Chanda Bai has been enlarged on bail by this Court on 02.12.2015 in M.Cr.C.

No.6575/2015 and Rama Bai has been enlarged on bail on 03.02.2016 in M.Cr.C. No.416/2016 and the present applicant is in jail since 25.07.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the other co-accused has been enlarged on bail.
5. Taking into the fact that the charge sheet has been filed and no further investigation is necessary and further considering the fact that the other co-accused have been enlarged on bail and the applicant is in jail since 25.07.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the 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.

Sd/-
(Goutam Bhaduri)
Judge