

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 557 of 2016**

- Arvind Patel, son of Rambrat Patel, aged about 36 years, Occupation – Data Entry Operator, Sahakari Samiti Govindpur, resident of Revti, Tahsil-Pratappur, District – Surajpur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: The Station House Officer, Police Station Ramkola, District - Surajpur (C.G.)

---- Respondent

For Applicant: Mr. Kaushal Yadav, Advocate.
For Respondent/State: Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/02/2016**

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. 19/2015 registered at Police Station Ramkola, District Surajpur (C.G.) for the offences punishable under Sections 420 & 409/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant and other co-accused persons have misappropriated 93.97 quintals of paddy amounting to Rs. 1,30,200/- from Adim Jati Seva Samiti Maryadit, Govindpur and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that applicant has not committed any offence and he has falsely been implicated in the offence in question. He further submits that He further submits that the applicant is in jail since 14.10.2015; charge sheet has already been filed against the applicant/accused. He also submits that similarly situated co-accused – Samay Lal has already been granted bail by this Court and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State submits that applicant being a Data Entry Operator was responsible for making forged entry in the record and case of the present applicant is distinguishable to the other co-accused, who has been granted bail by this Court, therefore, the applicant is not entitled for regular bail.

(5) Looking to the nature & gravity of the offence; and the fact that case of the present applicant is distinguishable to the other co-accused person, who has been granted bail, I am not inclined to release the applicant on bail. Thus, the bail application is rejected. However, the trial Court is directed to expedite the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-