

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 112 /2016

Khurshid Aalam, S/o. Mohammed Firoj, Aged About 25 Years, Occupation Labourer, R/o. Village Ara Balrampur, Police Outpost Bariyon, Tahsil & Thana Rajpur, District Balrampur – Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Batouli, District Sarguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sushil Dubey, Advocate

For Respondent : Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/02/2016

1. Apprehending arrest in connection with Crime No.161/2015 registered at Police Station- Batouli, District Sarguja (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of I.P.C., the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a written report was lodged by the C.E.O. Janpad Panchayat Batouli that three cheques bearing No.273617, 273620 & 273623 were missing from the office and subsequently it was came to fore that the amount of Rs.27,05,000/- has been withdrawn. It was further reported that the applicant along with other co-accused visited the office and they have stolen the cheques and by false signature, the amount was withdrawn.
3. Learned counsel for the applicant submits that no report was made about the cheques were missing earlier to that and only the

applicant has been inculpated in order to save the real culprits, therefore, he may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary. Perusal of the case diary would show that some amount was credited to the Account of this applicant along with other co-accused. Taking into the Bank statement of the applicant, I am not inclined to enlarge the applicant on anticipatory bail, as perusal of the case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required.
6. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge