

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1522 of 2016**

Kamdev Devdas S/o Nathuram aged about 43 years R/o
village Matwari P.S. Anda District Durg C.G.

---Applicant**Versus**

State of Chhattisgarh through Police Station Anad Civil
and Revenue District Durg C.G.

---Non-applicant

For Applicant	:	Mr. Shrawan Agrawal, Advocate
For Non-applicant	:	Mr. O.P. Sahu, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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. 178/2015, registered at Police Station Anda District Durg (C.G.), for the offence punishable under Sections 408, 409 of IPC.
2. Case of the prosecution, in brief, is that, between

the period from 01/06/2012 to 21/06/2012 applicant while working as Rural Post Master embezzled Rs.37,277/- and thereby committed criminal breach of trust.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that FIR delayed by three months and amount in question has already been deposited. He would lastly submit that charge sheet has been filed and applicant is in jail since 29/01/2016 therefore, he may be released on bail.

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

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; charge sheet has been filed and applicant is in jail since 29/01/2016, this

Court is of the opinion that present is the 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 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. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE