

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1639 of 2016

Jeevanchand, S/o Shri Shambharam Bagday, aged about 51 years,
R/o Village Tatenga, P.S. Devari, Distt. Balod (CG).

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Devari, Distt. Balod
(CG).

---- Non-applicant

For Applicant:	Mr. Vipin Tiwari, Advocate.
For Non-applicant:	Mr. Adhiraj Surana, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.278/2015, registered at Police Station Devari, Distt. Balod, for the offence punishable under Section 409 of the IPC.
2. Case of the prosecution, in brief, is that the applicant while posted as Post Master embezzled an amount of Rs.1,01,954/- and thereby committed the offence.
3. Learned counsel for the applicant submits that the amount had already been deposited on 21-8-2012 and the applicant has already been reinstated. The applicant is in jail since 15-12-2015 and charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case

diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, the amount is said to have been deposited and the applicant has already been reinstated in service, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma