

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2154 of 2016**

Anil Verma, S/o. Late Shri Fulsingh, aged about 50 years, R/o. Clubpara, Old Civil Lines, Public Works Department Quarters, Mahasamund, Police Station and Post Civil Lines, Mahasamund, Civil and Revenue District Mahasamund (CG)

---Applicant

Versus

State of Chhattisgarh through Police Station Mahasamund, District Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr. Manoj Paranjape, Advocate
For Non-applicant	:	Mr. Neeraj Shaema, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

26/04/2016

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.316/2015, registered at Police Station-Mahasamund, District-Mahasamund (CG), for the offence punishable under Sections 380, 420, 467, 468, 471, 419, 511, 120B and 381 read with Section 34 of the IPC.

2. Case of the prosecution, in brief, is that the co-accused Mujahid Ali and Faiz Mohammad were making an attempt to withdraw an amount of ₹ 6,50,000/- from the account of the Motor Accidents Claims Tribunal, Mahasamund by cheque of the said Tribunal and the said cheque was alleged to be given by the present applicant to the said accused persons.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is Execution Clerk of the District and Sessions Judge, Mahasamund, two

cheques were lost, which were duly endorsed in the cheque book and he has made a complaint to the Police Station on 29.7.2015 and he is in jail since 28.2.2016. He would also submit that charge-sheet has already been filed and no further interrogation of the applicant is required.

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 & circumstances of the case, nature & gravity of the offence, role of the present applicant, main allegation is against co-accused Mujahid Ali and Faiz Mohammad, there is no evidence against the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a 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 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/-

(Sanjay K. Agrawal)
JUDGE

B/-