

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2885 of 2016

Ramkrishna, S/o. Bhajanlal Kosle, Aged About 29 Years, Occupation Service, Shiksha Karmi Grade-III, R/o. Village Temri, Police Station Nandghat, Civil & Revenue District Bemetara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Nandghat, Civil & Revenue District Bemetara, Chhattisgarh

---- Respondent

For Applicant : Mr. Sudeep Agrawal, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.82/2016, registered at Police Station Nandghat, District Bemetara (C.G.) for the offence punishable under Section 409, 420/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the Branch Manager of the State Bank of India, Temri Branch against earlier Branch Manager that certain amount for crop insurance, which came to the Branch, the former Branch Manager, Buddhi Prakash Bangade transferred it to the different account holder and thereafter withdrew the same on the basis of withdrawal form signed by the account holder and benefited himself to the extent of Rs.18,59,741/-.
3. Learned counsel for the applicant would submit that the charge sheet has been filed on 06.06.2016 and the applicant is in jail since

11.03.2016 and the entire allegation primarily are against Buddhi Prakash who is the earlier Branch Manager and virtually it is stated that applicant himself has been deceived. Therefore, considering it and he being a Shiksha Karmi, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the charge sheet. Considering the facts and circumstances of the case and nature of allegation and the fact that no further investigation is necessary and the applicant is in jail since 11.03.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge