

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 564 /2016

Visnudas Vaisnav, S/o. Bharat Das, Aged About 45 Years, Caste Vaisnav,
R/o. Odekera, Police Station & Tahsil Jaijaipur, Civil & Revenue District
Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate, Janjgir - Champa
Chhattisgarh, Civil & Revenue District Janjgir -Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. Deepak Kumar Singh, Advocate.
For Respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

1. Apprehending arrest in connection with Crime No.67/2016 registered at Police Station- Jaijaipur, District Janjgir-Champa (C.G.) for the offence punishable under Section 420, 409, 467, 468, 471 of Indian Penal Code, 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 report was made by one Brijbhushan that in the year 2015-16 the In-charge of the Paddy Center has recorded less number of bags of Paddy which was deposited; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the entry was made by the sub-ordinate and since after enquiry it was found that price of 55 bags of Paddy were not given, the applicant deposited Rs.31,020/- in the account of the complainant and the mistake which was existing was rectified, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary, statement as also Annexure A-2 which shows that the amount of Rs.31,020/- was deposited in the account of the complainant Brijbhushan. Considering the same and the nature of allegation, I am inclined to release the applicant on anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge