

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3360 of 2016

Shyamji Yadav, S/o. Shiv Prasad Yadav, Aged About 50 Years,
Occupation Agriculturist, R/o. Village Ghursena, P.S. Nandghat, District
Bemetara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O., P.S. Nandghat, District Bemetara,
Chhattisgarh

---- Respondent

For Applicant : Mr. B.L.Dembra, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.07.2016

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 and the applicant is in jail since 10.02.2016

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 the applicant 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 10.02.2016, 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