

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3399 of 2016

- Devesh Vyas S/O Shri Dilip Kumar Vyas Aged About 34 Years R/O Behind Jama Masjid, A.B. Road, Vyavra, Rajgarh, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station Incharge Police Station Civil Lines, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Arvind Shrivastava, Advocate

For Respondent/State : 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 on 12-01-2016 in connection with Crime No. 458 of 2015, registered at Police Station Civil Lines, District Raipur (CG) for the offence punishable under Sections 408, 420, 467, 471 read with Section 34 of the IPC.
2. As per case of the prosecution, a report was made by the complainant Surendra Gurjar, Regional Manager, M.P. & CG of Compuage Infocom Ltd., that the applicant while working as Area Sales Manager along with other co-accused has shown certain sales made to some persons and the said amount has been deposited in HDFC Bank. However, on enquiry and audit it was found that the said amount was not deposited and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and there is

some mistake in the account which is resulted into such allegation. He would further submit that charge-sheet has been filed in this case, no further investigation is necessary, the applicant is in jail since 12-1-2016 and the offence is triable by the Judicial Magistrate First Class, therefore, present applicant may be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration all the facts and circumstances of the case, nature of allegation leveled against the applicant, charge-sheet has been filed in this case, the applicant is in jail since 12-1-2016 and the offence is triable by the Judicial Magistrate, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju