

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 610 /2016

Rajendra Verma, S/o. Lakhan Lal Verma, Aged About 52 Years, R/o. Village Pendri, Thana & Tahsil - Pathariya, Revenue Distt. Mungeli, Civil Distt.- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station - Mungeli, Distt. - Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sunil Sahu, Advocate.
For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/08/2016

1. Apprehending arrest in connection with Crime No.261/2016 registered at Police Station- Mungeli, Distt. Mungeli (C.G.) for the offence punishable under Section 409 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, the applicant who is working in the Paddy Collection Center at Pandrabhattha, Mungeli, had purchased paddy in between the period from 01.12.2015 to 31.01.2016 total 42,917.02 quintal and subsequently 42,293.2 quintal paddy were sent to the millers and 623.82 quintal paddy was found to be missing.
3. Learned counsel for the applicant would submit that enquiry has been commenced and the applicant has not committed any offence. He further submits that there has been some misinterpretation of the entry in the computer sheet, therefore, taking into fact that the paddy also leads to dry, the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the documents. Perusal of the case diary would show that 623.82 quintal of paddy was found to be missing on physical verification, which was of Rs.8,87,479/-. Considering the documents available in the case diary, I do not find it to be a case where the benefit of Section 438 can be extended to the applicant, therefore, I am not inclined to grant anticipatory bail to the applicant, as perusal of the case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required.
6. Accordingly, the instant bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge