

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 729 of 2016

1. Dinesh Lal, S/o. Ramjeet Ram, aged about 50 years, R/o. Manendragarh, P.S. & Tahsil Manendragarh, District – Korea (C.G.).

----Applicant

Versus

1. The State of Chhattisgarh, through – In-charge Police Station, Janakpur, District – Korea (C.G.)

---- Respondent

For Applicant	: Mrs. Usha Chandrakar, Advocate
For Respondent/State	: Mr. Neeraj Kumar Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/08/2016

1. Apprehending arrest in connection with Crime No.2/2013 registered at Police Station – Janakpur, District – Korea (C.G.), for offence punishable under Section 420, 409, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that a report was made by one Indra Jeet Singh, Nodal Officer alleging that in the year 2011-12, the applicant, who was the manager of the paddy procurement center, 631.20 quintals of paddy was said to be purchased and Rs.6,80,652/- was misappropriated by the applicant and other co-accused.
3. Learned counsel for the applicant would submit that the applicant is working in the co-operative bank Janakpur and the allegations of five farmers who has stated that their money has been misappropriated

have sworn the affidavit that entire money has been received by them, therefore, no offence is made out against this applicant. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, the documents as also the report by the Food Officer and the statement of Indrajit Singh. Perusal of the statement, and the documents and taking into the facts and circumstances of this case and the allegation levelled against the applicant, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant as it can not be stated that custodial interrogation of the applicant may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge