

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4798 of 2016

1. Vinod Indwar, S/o. Alvis, aged about 32 years, R/o. Village- Banspatra, Police Station & Tahsil – Duldula, District – Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station- Duldula, District – Jashpur (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Ravi Kumar Bhagat, Advocate
For Respondent/State	: Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/08/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.79/2015, registered at Police Station – Duldula, District – Jashpur (C.G.) for the offence punishable under Section 409, 420, 467, 471 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant is working as Up-Sarpanch and the Fair Price Shop which was being run at village Bhusditoli wherein the applicant along with other co-accused persons have misappropriated 98.91 quintals of rice, 2.90 quintals of sugar, 5.80 quintals of gram amounting to Rs.2,80,000/- which was meant for public distribution.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that

similarly placed co-accused persons in this case have already been enlarged on bail by this Court vide order dated 17.08.2016 in M.Cr.C.No.4633/2016, therefore, the counsel prays that the applicant may also be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that similarly placed co-accused have been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the fact that similarly placed co-accused persons in this case have already been enlarged on bail by this Court vide order dated 17.08.2016 in M.Cr.C.No.4633/2016, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge