

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7360 of 2015

- Keshav Singh Rana S/o Ramesh Kumar Singh Rana Aged About 30 Years Occupation - Service, R/o Gaud, Police Station - Janjgir, District Janjgir Champa Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through, Station House Officer, Police Station - Balouda, Distt. Janjgir - Champa Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate
For the Respondent :	:	Mr. Neeraj Jain, Govt. Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 109/2015 registered at P.S. Balouda, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 420, 467, 468, 471, 409 & 120-B of IPC.
2. Case of the prosecution, in brief, is that the applicant was working as Salesman of Seva Sahkari Samiti Maryadit, Pahariya and in connivance with Branch Manager kept Rin-pustika of the villagers and thereafter, made false receipts and shown sale of paddy, wherein embezzlement of Rs.8,72,040/- has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the amounts were deposited in the respective accounts of agriculturists and it cannot be said that the amount has been embezzled. He further submits that in similar circumstances, bail application of co-accused Dev Kumar Dubey has been allowed by this Court vide order dated 10.12.2015 passed in M.Cr.C.No.6838 of 2015. He

further submits that charge sheet in this case has been filed and the applicant is in jail since 01.09.2015, therefore, he prays that the applicant may be enlarged on bail.

4. Per contra, learned counsel for the State opposes the bail application. However, after verification, learned State Counsel do not dispute the fact that similarly placed co-accused has been granted bail by this Court in M.Cr.C.No.6838 of 2015.
5. I have heard learned counsel appearing for the parties and have also perused the case diary.
6. Having regard to the facts and circumstances of the case and the nature of the allegation levelled against the applicant and taking into fact that charge-sheet in this case has been filed, the applicant is in jail since 01.09.2015 and the offences are triable by JMFC as also considering the fact that similarly placed co-accused has been granted bail by this Court, 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.
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