

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5628 of 2016

Umesh Kumar Vanvasi, S/o. Late Sabhapati Vanvasi, Aged About 31 Years, R/o. Torva, P.S. Torva, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: P.S. Balco Nagar, Distt. Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Chitranjay Singh Patel, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2016

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 in connection with Crime No.203/2016 registered at Police Station- Balco Nagar, District Korba (C.G.) for the offence punishable under Section 409, 201 of Indian Penal Code.
2. As per the prosecution case, the applicant was working as Assistant Grade-II in the R.T.O. Korba and allegations are that he had collected tax of ten vehicles of Rs.5,23,979/- and that was not deposited in the R.T.O., thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has already deposited Rs.4,95,000/- and remaining amount of Rs.29,000/- while the mother of the applicant went to deposit, it was not accepted and after 3 ½ months of the deposit of amount, the FIR was lodged. He further submits that the charge sheet has been filed and the applicant is in jail since 23.07.2016; therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. It is not disputed by the prosecution that Rs.4,95,000/- has already been deposited by the applicant. Taking into facts & circumstances of the case, nature of offence and degree of allegation and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge