

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6462 of 2016

1. Purshottam Sao, aged about 31 years, S/o. Shri Barun Sao, R/o. Village-Kudaribohara, Police Station – Basna, Tahsil – Basna, Pin-493554, District – Mahasamund (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Officer-in-Charge, Police Station – Basna, Revenue Tahsil – Basna, Pin 493554, District – Mahasamund (C.G.)

---- Respondent

For Applicant	: Mr. V.G. Tamaskar, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/10/2016

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.81/2014, registered at Police Station – Basna, District – Mahasamund (C.G.) for the offence punishable under Section 420, 409 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 01.03.2014 a report was made by one Prakash Bibe, who was in-charge of paddy collection center of Gadhfuljhar that on inspection it was found that there is difference of 1046.85 quintals of paddy and 245 jute bags. Thereby an amount of Rs.13,95,253/- has been misappropriated by the present applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the incident is of the year 2014 and the charge-sheet in this case has been filed in the month

of September, 2016 and the applicant has been falsely implicated in this case as it is not possible to commit such offence by single hand and certain enquiry has been conducted and in such inquiry the applicant was not found guilty. It is further submitted that charge-sheet in this case has been filed and no further investigation is necessary, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application,
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. The incident is of the year 2014 and charge-sheet in this case has been filed in the year 2016. Considering the facts and circumstances of the case, the evidence in this case are documentary in nature and taking into the long lapse of time in filing of the charge sheet, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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