

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6506 of 2016

- Ajendra Das S/o Balram Das Aged About 35 Years Caste Vaisnav, R/o Odekera, Tahsil & Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through District Magistrate, Janjgir Champa, Chhattisgarh. Through Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Deepak Kumar Sahu, Advocate.

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A./

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 on 16-9-2016 in connection with Crime No. 67 of 2016, registered at Police Station Jaijaipur, District Janjgir-Champa (CG) for the offence punishable under Sections 420, 460, 467, 468, 471, 34 of the IPC.
2. Case of the prosecution, in brief, is that a report was made by one Brijbhushan that in the year 2015 – 2016 that applicant Ajendra Das who was Incharge of the Paddy Centre along with other co-accused Visnudas Vaisnav has recorded less number of paddy which was actually deposited and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant only assisted to Visnudas Vaishnav who had made good the loss of Rs.31,020/- and he has been enlarged on anticipatory bail vide order dated 2-8-2016 passed by this Court in M.Cr.C.A.No. 564 of 2016 He

would further submit that the applicant is in jail since 16-9-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the anticipatory bail order which has been passed in favour of other co-accused namely Visnudas Vaisnav.
7. Taking into consideration the facts and circumstances of the case, considering the allegations and further considering the fact that the amount of Rs. 31,020/- has been deposited by Visnudas Vaisnav and also the fact the applicant is in jail since 16-9-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju