

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6725 of 2016

Hemant Chauhan, S/o. Adhori Ram Chauhan, Aged About 24 Years, R/o. Harinagar, Near Rajat Home, Durg, Police Station Mohan Nagar, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate, Durg, District Durg, Chhattisgarh, (Police Station- Pulgaon).

---- Respondent

For Applicant : Mr. Rajnish Singh Baghel, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.11.2016

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.244/2016 registered at Police Station- Pulgaon, District Durg (C.G.) for the offence punishable under Sections 408, 420, 467, 468, 471, 381 & 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by P.B. Deshmukh, Director of Shankaracharya Technical Campus, Bhilai that one Sagar Borker who was working as an Accountant and Data Entry Operator had withdrawn an amount of Rs. 95,82,275/- at different points of time and deposited the same in different accounts of his relatives and friends (total 110 persons) and withdrew the same with their help and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant would submit that in the account of the applicant, Rs. 1,18,000/- was deposited and the amount was

not withdrawn by the present applicant and the said amount was deposited by Sagar Borker. He further submits that the charge sheet in this case has been filed and the similarly placed co-accused Chitranand has been enlarged on bail by this Court on 28.09.2016 in MCRC No.5898 of 2016, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that similarly placed co-accused has been enlarged on bail.
5. Considering the facts and circumstances of the case, nature of offence and degree of allegation and further taking into fact that the charge sheet has been filed and the similarly placed co-accused has been enlarged on bail by this Court vide order dated 28.09.2016 in MCRC No.5898 of 2016, 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