

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6814 of 2016

- Lekh Ram Sinha S/o Visheshar Sinha Aged About 24 Years R/o
Omnagar, Ward No. 58, Urla, Police Station Pulgaon, Tahsil & District
Durg Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the District Magistrate, Durg, Police
Station Pulgaon, District Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Jitendra Gupta, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 244/2016 registered at P.S. Pulgaon, Distt. Durg (C.G) for the offence punishable under Sections 408, 420, 467, 468, 471, 381 and 120-B of IPC.
2. As per the prosecution case, 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Technical Campus, Bhilai that one Sagar Borker who was working as an Accountant and Data Entry Operator had withdrawn an amount of Rs.95,82,275/- at different points of time and deposited the same in different accounts of his relatives and friends (total 110 persons) and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.9,19,800/- was deposited and the applicant was not party to the conspiracy and the main

allegations have been attributed to accused Sagar Borker who had deposited the amount in the account of the present applicant. He further submits that similarly placed accused Chitranand has been enlarged on bail by this Court in M.Cr.C. No. 5898/2016 on 28.09.2016, therefore, the present applicants may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the person against whom similar allegations were levelled has been enlarged on bail by this Court in M.Cr.C.No.5898/2016.
5. Considering the fact that similarly placed accused has been enlarged on bail by this Court on 28.09.2016 in M.Cr.C.No. 5898/2016 as also the fact that the charge sheet in this case has been filed; the main allegations are attributed to accused Sagar Borker and looking to the detention of the applicant as he is stated to be in jail since 18.07.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court as and when directed by the said Court till disposal of trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**