

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7118 of 2016

- Satish Kumar Yadav S/o Shri Ratanlal Yadav, Aged About 26 Years
R/o Dumarpadav, Police Station Payalikhand, District Gariyaband,
Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh through the Police Station Shobha, District
Gariyaband, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Anjinesh Shukla, Advocate.
For the Respondent	:	Mr. Anil S. Pandey, Govt. Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.11.2016

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. 13 of 2014 registered at P.S. Shobha, Gariyabandh, Distt. Gariyabandh (C.G) for the offence punishable under Sections 420, 467, 468 of IPC & Section 3 & 7 of the Arms Act.
2. As per the prosecution case, the applicant who was working in a Fair Price Shop between the period from April 2012 to Nov. 2014 has misappropriated the ration goods i.e., 318.40 quintals of rice, 15.86 quintals of grams and 7.81 quintals of sugar meant for public distribution and it is further alleged that he delivered the rice to the persons against their entitlement and thereafter he was absent from his duty, thereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant was not in-charge of the total ration goods and he has been falsely implicated. He further submits that the

charge sheet in this case has been filed, no further investigation is necessary and the applicant is in jail since 23.06.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents.
6. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the evidence available in this case appears to be documentary in nature and further looking to the period of detention of the applicant as he is stated to be in jail since 23.06.2016, I am inclined to release him on regular bail.
7. 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. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**