

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6836 of 2016

1. Ram Awatar Sahu, S/o. Radheshyam Sahu, aged about 28 years, R/o. Village- Bohardih, Police Station & Tahsil – Masturi, Civil and Revenue District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District Magistrate, Durg (C.G.)

---- Respondent

For Applicant	: Mr. K.A. Ansari, Sr. Advocate with Mr. R.L. Bajpai, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29/11/2016

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.502/2016, registered at Police Station – Durg, District – Durg (C.G.) for the offence punishable under Section 420, 467, 468, 471, 408, 409, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was lodged that the applicant, who was the Branch Manager of Spandana Sphurti Financial Limited sanctioned different loan to the Women Self Help Group numbering into 194, which amounted to Rs.36.67 Lakhs and some of the amount was paid, however, the entire amount was not paid and when it was enquired, it was found that the applicant along

with other persons have misappropriated the part of the amount on the basis of the forged documents. Thererby the offence has been committed.

3. Learned counsel for the applicant submits that the it is the case of non-payment of loan sanctioned to the different persons, however, when the loan was not paid and Rs.7.00 lakhs though have been paid, the applicant has been inculpated in this case. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 04.07.2016 and no further investigation is required, 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. Considering the facts and circumstances of the case and the allegation of non-payment of loan have been attributed. Taking in to totality of the case and the part of the loan has been repaid, charge-sheet in this case has been filed and the applicant is in jail since 04.07.2016, 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

Balram