

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5871 of 2017

Gobind Singh S/o Tilchand Ram, Aged About 45 Years Caste Gond, R/o Village Khokhuniya, Police Station Rajpur, District Balrampur Ramanujganj, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Dhaurpur, District Surguja, Chhattisgarh.

---- Respondent

For Applicant : Mr. Chandra Bhushan Kesharwani, Advocate

For Respondent : Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

22/11/2017

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. 47/2016 registered at Police Station- Dhaurpur, District Surguja (C.G.) for the offence punishable under Sections 420, 467 read with section 34 of the IPC.
2. As per the prosecution case, the applicant was posted as a cashier in the Coperative Bank and certain withdrawal forms were submitted for withdrawal of amount to the tune of Rs. 24,90,780/-. The said amount was withdrawn by the applicant but it was not paid to the persons who have submitted withdrawal forms.
3. Counsel for the applicant submits that the applicant has withdrawn the amount and handedover to the accountant but the accountant has not paid the amount to the persons who have submitted their withdrawal forms.

4. Per contra, learned State counsel opposes the prayer for grant of bail and submits that there is prima-facie evidence against the applicant of cheating and forgery and it is not a fit case where the applicant should be enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact and circumstances of the case that the huge amount has been withdrawn from the bank and it was not paid to the customers and prima-facie, there is involvement of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is rejected.

Sd/-
(Ram Prasanna Sharma)
Judge

Santosh