

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7004 of 2017

Kuleshwar Mandal S/o Godram Aged About 31 Years (Wrongly Mentioned As Gendram In Order Sheet) R/o At Gram Panchayat Kaundkera, Block Office Fingeshwar, Police Station Rajeem District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Its Police Station Rajeem, Civil & Revenue District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:	Shri B.L. Sahu, Advocate
For Respondent/State	:	Shri Shashank Thakur, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/12/2017

Heard.

1. The applicant has been arrested in connection with Crime No.95 of 2017 registered at Police Station- Rajeem Civil & Revenue, District Gariyaband (CG) for the alleged commission of offence under Section 409, 420, 467, 468, 471, 120-B read with Section 34 of IPC.
2. Case of the prosecution is that an amount of Rs.52,000/- allotted in the name of one Rukhmin Bai was fraudulently deposited in the account of applicant's mother and later on, withdrawn. At that time, applicant was working as Rojgar Sahayak.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and a false case has been registered against him. He would further submit that investigation is complete, charge-sheet has been filed and the applicant is in jail since 08.06.2017, therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned State counsel opposes the prayer and submits that the applicant was working as Rojgar Sahayak and he has misused his official position to misappropriate public funds of Rs.52,000/-, therefore, the applicant may not be granted bail.
5. Considering the submission of learned counsel for the parties, amount involved in the case and period of pretrial detention and that the applicant is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge