

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 859 of 2017

- Rajendra Kumar Komre S/o Rahel Singh Komre, Aged About 28 Years
R/o Village Mateva, Police Station & Tehsil Mohla District Rajnandgaon
Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through District Magistrate District Rajnandgaon
Chhattisgarh

For Applicant : Mr. S.S. Baghel, Advocate

For Respondent/State : Mr. D.R. Minj, Dy.G.A. for the State.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27-02-2017

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 on 9-11-2016 in connection with Crime No. 71 of 2015, registered at Police Station Mohla, District Rajnandgaon (CG) for the offence punishable under Section 409 of the IPC.
2. As per prosecution case, it is alleged that in between the period from 21-6-2011 to 24-6-2014 the applicant while working as Post Master had embezzled an amount of Rs.28,570/- and thereby the aforesaid offence was committed.
3. Learned counsel for the applicant would submit that there has been some mis-calculation and the entire amount has been paid and adjusted. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 9-11-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case and further considering the fact that the entire amount has been paid and adjusted and also the fact that charge-sheet has been filed in this case, the applicant is in jail since 9-11-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju