

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.998 of 2017**

- Ram Khelawan Singh S/o Mahabir Singh Aged About 47 Years
R/o Village Ghatai Police Station Janakpur Tahsil Bharatpur
District Korea , Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Janakpur, District Korea, Chhattisgarh.

---- Respondent

For Applicant	: Shri Mahendra K. Sahu, Advocate
For Respondent/State	: Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****27.3.2017**

Heard the matter finally.

2. By filing this M.Cr.C., it is prayed that this is the first application filed under Section 439 of the Cr.P.C., charge sheet has been filed against the present applicant and other co-accused persons before Judicial Magistrate First Class, Janakpur under Sections 420 and 409/34 of IPC. The applicant is in jail since 20.9.2016. The applicant is suffering from paralysis. During enquiry, stock register, token panchi and other documents were not seized. He has purchased the paddy as per rules, also some paddy was sold for which they have not considered the said fact, other co-accused were granted bail, hence, the applicant may

also be granted bail till disposal of the said criminal case pending against him.

3. Per contra, learned counsel for the State/respondent opposed the arguments advanced and would submit that the applicant was the manager of the institute responsible for embezzlement of 5851 quintal of paddy worth Rs.54 lakh. The police after enquiry filed charge sheet, collected evidence prima facie against the applicant, hence the application may be dismissed.

4. Perused the case diary.

5. On due consideration regarding the role of the present applicant, bail granted to other co-accused is not helpful for the present applicant also the ground of ailment would not help for consideration of the bail to the applicant. If the applicant suffers from any ailment, the same may be take care by the jail authorities for his treatment as per Police manual. Looking to the evidence collected against the present applicant, I am not inclined to admit the applicant on bail. Consequently, the bail application is dismissed.

Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE