

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1539 of 2017

Santosh Tolwani, S/o. Late Shri Govind Chand Tolwani, Aged About 36 Years, R/o. Gali No. 5, Katora Talab, Police Station -Civil Line, Raipur, Tahsil & District -Raipur, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Ganj Raipur, District -Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Arvind Dubey, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/03/2017

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.347/2016, registered at Police Station – Ganj Rajpur, District – Raipur (C.G.) for the offence punishable under Section 420, 406, 407, 467, 468, 471 & 34 of the Indian Penal Code.
2. As per the prosecution case, a report was made by the Vipin Sahu on behalf of Reliance Digital Express on 24.12.2016 that the applicant, who was working as Store Leader of the company by using false ID of the different customers and without DO order of Bajaj Finance, which normally finances the goods to the customer has delivered the goods worth Rs.22,24,391/-. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and normally the goods was delivered on finance in coordination with the finance company and neither the applicant was working in the finance company nor he was

incharge for the sale of the goods, thereby he has not committed any offence and the entire right was with the area manager and the applicant was only employee has been falsely implicated in this case. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 30.11.2016, therefore, 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 statement of Vipin Sahu as also the report and the voluminous documents. Considering the facts and circumstances of the case, the nature of allegation, charge-sheet in this case has been filed and the applicant is in jail since 30.11.2016, 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge