

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1497 of 2017

- Narayan Gabel S/o Narmada Prasad, Aged About 56 Years R/o Village Lachhanpur, Police Station Baradwar, District Janjgir Champa Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Baradwar District Janjgir Champa Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Mateen Siddiqui, Advocate
For the Respondent	:	Mr. D.R. Minj, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.03.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 213/2015 registered at P.S. Baradwar, Distt. Janjgir Champa (C.G) for the offence punishable under Sections 409, 34 of IPC.
2. As per the prosecution case, a report was made by Kalaram on 22.07.2015 against one Ashok Singh that when physical inspection was made at the paddy procurement center, Kodari on 18.05.2014, it was found that 4557.22 quintals of paddy was missing which caused loss of Rs.72,38,205/- to the State Exchequer. It is alleged that said embezzlement of paddy was made with the connivance of other employees of the paddy procurement center and the applicant was one of them.
3. Learned counsel for the applicant would submit that the applicant was a daily wage employee and his job was only to make entries in the records while the paddy was being

entered in the Paddy Procurement Center and while it was being delivered from outside the Center. It is further submitted that he has only followed the instructions of Ashok Singh and has not committed any offence. He further submits that the charge sheet has been filed and the applicant is in jail since 27.1.2017, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the the statements of witnesses K.K. Sharma and Giridharilal. On perusal of such statements, prima facie it appears that present applicant was making entries in the register. Taking into such role attributed to the applicant as also the fact that the charge sheet has been filed and the applicant is in jail since 26.01.2017, I am not inclined to allow this bail application.
6. Accordingly the bail application is allowed and the applicant is directed to be released on bail on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**