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**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2075 of 2017**

- Purushottam Prasad Tiwari S/o Bholaram Tiwari, Aged About 56 Years Caste Brahman, Occupation Service, Posted As Assistant Grade 1, Assistant Superintendent Office Of Project Officer, Women And Child Development Department, Bagicha, R/o Bagicha, Tahsil Bagicha, District Jashpur, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Bagicha, District Jashpur, Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Shri Udhav Sharma, Advocate      |
| For Respondent/State | : Shri Arvind Shukla, Panel Lawyer |

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**Hon'ble Shri Justice Chandra Bhushan Bajpai****Order On Board****11.4.2017**

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No. 208/2015, registered at Police Station Bagicha, Distt. Jashpur (CG) for the offence punishable under Sections 409, 467, 468 of the IPC.
3. Learned counsel for the applicant submits that the applicant is in detention since 13.11.2016. The matter is pending before the J.M.F.C., Bagicha as Cr. Case No. 20/2017. Learned counsel

would further submit that the court below has framed charges against the present applicant. Till date the applicant had not challenged the framing of charges in any appropriate forum. The applicant is innocent and there are no allegations in the entire charge sheet. The charge sheet is incomplete and on the basis of the charge sheet the applicant cannot be held prima facie accused for the cause, hence, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application. He submits that as Assistant Grade-I, the applicant made embezzlement of the Govt. money for more than Rs.95 lakh.

5. I have heard the counsel appearing for the parties and perused the entire material

6. On due consideration of the fact, the evidence collected against the present applicant and the severity of the offence, I am not inclined to grant bail to the applicant.

7. Consequently, the bail application filed under Section 439 Cr.P.C. is dismissed.

Certified copy as per rules.

**Sd/**  
**(Chandra Bhushan Bajpai)**  
**JUDGE**