

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4426 of 2017**

Naresh Singh Kanwar S/o Shri Bhagat Singh, Aged About 45 Years R/o Village Kedma, Police Station Udaypur, District Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Udaypur, District Surguja, Chhattisgarh

---- Respondent

For the Applicant	:	Shri R.V. Rajwade, Advocate
For the Non-applicant	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**02/11/2017**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 72/2015 registered at Police Station Udaypur, District Surguja (C.G.) for the offence punishable under Sections 420, 409, 467, 468, 471 and 216 of Indian Penal Code.
3. Case of the prosecution, in brief is that the present applicant was posted as Shakha Dakpal at Kedma from 24/05/2001. During his tenure he obtained Rs.3,17,648/- for the payment of the beneficiaries. He had obtained the signature in payment slip of the beneficiaries but payment was not made to them. He had misappropriated the said amount. He had also not deposited Rs.3,550/- in Saving Bank Account and also misappropriated it.

4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case and the applicant is in jail since 08/11/2016, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case being a public servant he misappropriated the amount of Rs.3,21,198/-; looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
7. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge