

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4588 of 2017

- Rovin Kumar S/o Shatruhan Yadav, Aged About 25 Years, R/o Camp - 1, Shantipara, Ward No. 21, Near Mourya Aata Chakki, Police Station Chhawani, Tahsil and Civil and Revenue District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chhawani, Civil and Revenue District- Durg, Chhattisgarh.

---- Non-applicant

For Applicant – Shri B.P. Singh, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

31-10-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 19-05-2017 in connection with Crime No.218/2017 registered at P.S. Chhawani, District- Durg, C.G. for the offence under Section 408 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No document has been seized in the investigation to show that the applicant had made any collection. The applicant had not committed any offence. There had been some monetary dispute between him and his employer and because of which a false FIR has been registered. Therefore, it is prayed that the applicant may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made in this respect. It is submitted that as per the statement of the witnesses from whom the applicant has made collection, there is clear evidence that the applicant has committed offence of criminal breach of trust by

not depositing the collected amount with his employer. Hence, for these reasons he is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. Considering the facts and circumstances of this case and looking to this fact that charge sheet has been filed and the trial is about to commence, no purpose would be served if the applicant is kept in detention till conclusion of the trial. Hence, only for this reason, this application deserves to be allowed.

6. Consequently, the application (MCRC No.4588/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge