

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5469 of 2017

Shishupal S/o Dhimak Sai, Aged About 38 Years R/o Dhuriamba, Police Station- Tapkara, Tahsil- Duldula, District Jashpur, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

Shri Harish Khuntiya, counsel for the applicant/s.
Shri Avinash Singh, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/11/2017

Heard.

The applicant has been arrested in connection with Crime No.50/2015 registered at Police Station – Tapkara, District – Jashpur (CG) for alleged commission of offences under Section 409, 420 IPC and Section 3, 7 of Essential Commodities Act.

2. Case of the prosecution is that the applicant while working as Salesman in a Fare Price Shop, did not supply full quantity of food grains to the beneficiaries and in conspiracy with other co-accused misappropriated more than 70 quintals of Rice of Rs.1,75,750/-.

3. Learned counsel for the applicant submits that the allegations against the applicant are exaggerated. It is submitted that whatever material was supplied, was sold to the beneficiaries by the applicant. It is submitted that investigation is complete, charge sheet has been filed, the applicant is not likely to abscond or tamper with the prosecution witnesses. Lastly, it is submitted that the co-accused – Safiya Toppo has been granted bail by this Court in MCrC No.4366/2017.

4. On the other hand, learned State counsel opposes bail application and submits that the applicant is directly involved in this case because he was involved in distribution of food grains through Fare Price Shop.

5. Taking into consideration the submission of learned counsel for the parties, nature of allegations, amount involved and that the applicant is in jail since 23/05/2017, investigation is complete, charge sheet has been filed, the applicant is not likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge