

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7828 of 2016

Bibhudatt Sahu, S/o. Manglu Sahu, Aged About 36 Years, R/o. LIG 1318, Sector-8 Housing Board Colony, Saddu Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station- Devendra Nagar, District- Raipur, Chhattisgarh.

---- Respondent

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MCRC No. 6624 of 2016

Dewashish Mehar, S/o. Dhanpati Mehar, Aged About 26 Years, Present Address : L.I.G. 149, Sector : 8, Saddu Housing Board Colony, Police Station : Mowa District Raipur Chhattisgarh. Permanent Address - Village : Jhar Sohela, District Bargarh (Orissa) Mo. No. 99371-56479.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Police Station : Devendra Nagar, District : Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Rajesh Kumar Jain & Mr. N. Naha Roy,
Advocates

For Respondent : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.01.2017

1. Both are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.67/2016 registered at Police Station- Devendra Nagar, District Raipur (C.G.) for the offence punishable under Sections 406, 409, 420, 467, 468, 471, 411 of Indian Penal Code.
2. As per the prosecution case, one Vipin Jain made a report on 15.10.2015 that certain amount was missing. Subsequently, on enquiry, it was found that the present applicants in connivance with

each other have misappropriated an amount of Rs.5,85,761/- from three different accounts and get the amount withdrawn for their benefit.

3. Learned counsel for the applicants would submit that the charge sheet has been filed and the applicants have deposited the entire amount of Rs.5,85,761/- with the Provident Fund Commissioner as per the receipt dated 16.12.2016, which is annexed alongwith the bail applications and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and further taking into the receipt dated 16.12.2016, photocopy of which is on record, which shows that an amount of Rs.5,85,761/- has been deposited, without any observation on merit, I am inclined to release the applicants on bail.
6. Accordingly, both the bail applications filed under Section 439 of Cr.P.C. are allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
7. It is further observed that deposit of the amount will not prejudice the defence of the applicants during course of trial.

Sd/-
(Goutam Bhaduri)
Judge