**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRC No. 7064 of 2017**

Ramsajeevan Thakur S/o Late Dau Singh Thakur, Aged About 56 Years R/o Shivaji Ward, P.S. City Kotwali, Mungeli, District Mungeli, Chhattisgarh **--- Petitioner**

**Versus**

State of Chhattisgarh Through The Station House Officer, Police Station City Kotwali Mungeli, District Mungeli, Chhattisgarh **--- Respondent**

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For the applicant : Mr. N.L. Soni, Advocate.
For the Respondent : Mr. Neeraj Sjharma, Advocate.

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Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.12.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 383/2017 registered at Police Station City Kotwali, Mungeli Distt. Mungeli (C.G) for the offences punishable under Sections 409, 34 of IPC and sections 3/7 of the Essential Commodities Act, 1955.
2. As per the prosecution case, applicant Ramsajeevan Thakur, who was working as Manager in the Government Cooperative Marketing Federation, Mungeli, has misappropriated the money of kerosene oil and did not pay it to the dealer. Consequently the kerosene oil could not be procured and distributed though the amount was deposited in the account of Marketing Federation, thereby he along-with other officers has committed offence.
3. Learned counsel for the applicant submits that it is not a

case of misappropriation as the money which was received in the account was used for payment of office dues other than procurement of kerosene oil which would be evident from the audit report. He further submits that the applicant is in jail since 19.10.2017 and no further investigation is necessary, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.

5. Perused the case diary and documents. Considering the nature of allegations levelled against the applicant and fact that he is in jail since 19.10.2017, it appears that no further custodial interrogation may be required, therefore, I am inclined to allow this bail application.

6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

Sd/
GOUTAM BHADURI
JUDGE

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