

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7129 of 2017

Rohit Kumar Sahu S/o Late Maya Ram Sahu, Aged About 50 Years
R/o Schoolpara Dhanora, Police Station Dhanora District Kondagaon
Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through the Police Dhanora, District Kondagaon
Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2017

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.17/2017 registered at Police Station Dhanora, Distt. Kondagaon (C.G) for the offences punishable u/ss 420, 408, 467, 468 of IPC.
2. As per the prosecution case, the applicant was working as Manager in Aadim Jaati Sewa Sahkari Sansthan Maryadit Dhanora wherein certain accounts were maintained for payment of pensions. It is alleged that the present applicant by affixing forged thumb impression has withdrawn amounts of Rs.11,3002/- which was meant for six pensioners out of whom 4 were already dead and two are alive, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that withdrawals of the amounts are being manually made and the applicant has discharged his duty, therefore, no offence has been committed. He further submits that the thumb

impression of the applicant was verified by the FSL which was not found to be tallied in the withdrawal form, therefore, no offence is made out. It is further submitted that the charge sheet has been filed and the applicant is in jail since 31.07.2017, therefore, he may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary documents. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicant is in jail since 31.07.2017, I am inclined to allow this bail application.
6. Accordingly, this 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**