

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8352 of 2016

Kiritram Sahu S/o Shri Dasharath Sahu Aged About 47 Years R/o Village Miriyadeeh, Chauki Lavan, Police Station Kashadol, District Bhalodabazar-Bhatapara, Chhattisgarh. Pin- 492112.

---- Applicant

Versus

State Of Chhattisgarh Through Chauki Lavan, Police Station Kashadol, District Bhalodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For applicant - Shri Vijay K. Deshmukh, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

2/01/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 8/11/2016 vide M.Cr.C. No.6764 of 2016 with liberty to repeat the same after filing of the charge sheet.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.27/2016 registered in Police Station Chauki Lavan, Police Station Kashadol for offence punishable under section 409 of IPC and Sections 3 and 7 of the E.C. Act.
3. As per the prosecution case, while the applicant acting as Sales Man of the Fair Price Shop, Seva Sahkari Samiti Sariyadih, Gram Panchayat Amlidih in the between the period January 2014 to December 2014 has misappropriated goods 563 quintals rice, 14 quintals sugar, 36 quintals cereals and 24 quintals salt total amounting to Rs.13,62,000/-. Thereby, offence has been committed.
4. Learned counsel for the applicant submits that the applicant was

served with notice dated 9/06/2015 wherein alleged amount was stated to be 1,50,030/-. Subsequently, it was inflated and the amount was deposited which would be evident from the receipt which is filed alongwith the petition. He submits that now the charge sheet has been filed, no further investigation would be necessary, therefore the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the facts and circumstances of the case, charge sheet has been filed, all the evidence appears to be documentary in nature, offences are triable by JMFC and offence appears to be of the year 2014, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE