

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3095 of 2017

- Amit Kumar Singh S/o Suryanath Singh, Aged About 35 Years R/o Ganganagar Mangla, Police Station - Civil- Lines, Bilaspur, District- Bilaspur, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through: Station House Officer Police Station- Kharsia, District- Raigarh, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Sachin Singh Rajput, Advocate

For Respondent/State : Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11-05-2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 23-12-2016 in connection with Crime No. 311 of 2016, registered at Police Station Kharsia, District Raigarh (CG) for the offence punishable under Sections 409, 420, 4467, 468 & 471 of the IPC..
2. As prosecution case, the applicant who was working as Branch Manager, Axis Bank at Kharsia in between December 2012 and May, 2016 had received different self drawn cheques from customers and assured them to prepare FDR, however, instead of depositing the amount in fixed deposit, he had withdrawn the amount and used the same for his own. Subsequently, complaint

was made by the customers and after investigation, offence was registered and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that this is second bail petition and earlier first bail petition was dismissed as withdrawn on 1-2-2017 with liberty to repeat the same after filing of the challan. He would further submit that now charge-sheet has been filed and it is completely improbable as the applicant who was working as Branch Manager, would be able to do the such an act and he was an excellent worker and he was rewarded by the Bank and while he was leaving allegations have been attributed and it is not possible to draw the amount by the applicant as the amount is being paid after due signature of the drawer on self cheque. He would further the applicant was transferred to Axis bank, Abhanpur Branch. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 23-12-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and voluminous documents
6. Perusal of the documents would show that certain cheques were filed in the year 2015-2016 which also bears the signature of drawers.
7. Taking into consideration the facts and circumstances of the case and further considering the evidence which appears to be documentary in nature and also the fact that charge-sheet in this

case has been filed and the applicant is in jail since 23-12-2016, this court is inclined to release the applicant on bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju