

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6215 of 2017

Manoj Kumar Dewangan S/o Late Shri Jethuram Dewangan
Aged About 44 Years R/o Near Gauri Shankar Mandir
Budhwari Bazar, Korba Civil And Revenue District Korba
(C.G.).
----- **Applicant**

Versus

State of Chhattisgarh Through Police Station Kotwali Civil &
Rev. District Korba (C.G.)
----- **Respondent**

For the applicant	:	Mr. Keshav Dewangan, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2017

1. This is second 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. 309/2015 registered at P.S. City Kotwali, District- Korba (C.G.) for the offences punishable u/ss 419, 420, 467, 468, 471 & 120(B) 201 of the IPC.
2. The first bail application was dismissed on 19.10.2016.
3. As per the prosecution case, a report was made by one Sriram Singh that he wanted to deposit the amount which was seized in various cases by the police and when he went to the court to deposit the amount of Rs. 3,43,869/-, the same was given to one Mukesh Yadav to deposit the same in treasury but it was not deposited, instead on the next day it was found that amount has not been deposited, therefore Mukesh Yadav was arrested and on his memorandum it revealed that the applicant who is Reader in CJM Court Korba

along with Mukesh Yadav and another co-accused has committed said offence and from the applicant seal of CJM and cash of Rs. 56,000/- was recovered.

4. Learned counsel for the applicant submits that one of the accused Mukesh Yadav has been enlarged on bail in MCRC No. 5049/2017 on 30.08.2017 on the ground that till date no substantial progress has taken place and out of 57 witnesses, only 9 witnesses have been examined. He further submits that the appellant is in jail since 14.08.2015 and on the ground of parity he may be released on bail.
 5. On the other hand, learned State Counsel opposes the bail application. The State was directed to enquire about the stage of trial, however, again it has been stated that the information could not be gathered.
 6. Perused the order dated 30.08.2017 passed in MCRC No. 5049/2017 wherein the other accused Mukesh Yadav has been enlarged on bail.
 7. Taking into consideration the fact that the co-accused Mukesh Yadav has been enlarged on bail by this Court and looking into the period of custody of this applicant as he is stated to be in jail since 14.08.2015, I am inclined to allow this bail application.
 8. 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