

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 379 of 2018

- V. Shriniwas Reddy S/o Shri V. Narsimha Reddy Aged About 35 Years
R/o- Venkateshwar Niwas Apartment, Sai Balaji Nagar, Jagat Tal Road,
Karim Nagar, District- Karim Nagar (Telangana) 505001, Telangana

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police
Station Lalbag, District- Rajnandgaon, Chhattisgarh., District :
Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Uttam Pandey, Advocate.
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

21/06/2018

1. Apprehending arrest in connection with Crime No.485/2017 registered at Police Station- Lalbag District – Rajnandgaon (C.G.), for offence punishable under Section 408 of the Indian Penal Code (for short 'IPC'), the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that according to FIR, the time of incident is between 9.12.2012 to 9.12.2015 whereas applicant had resigned from the company on 11.9.2015 and the FIR was lodged after a lapse of 2 years, in which, he has been falsely implicated. There was no occasion for him to keep in his possession or in his account the

sale proceeds of the company's product. As the applicant has left the company, therefore, he has been made accused in this case by holding him responsible for the alleged loss. Hence, it is prayed that applicant be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the evidence present in the case diary applicant is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. Allegation against the applicant is this that during his tenure as Sales Executive in Indian Agro and Food Industries Ltd., Indian Broiler Group sale of broiler chicken worth Rs.66,09,991/- was made to 32 parties of Andhra Pradesh and Telangana and though the amount has been received by the applicant from the said parties but the same was not deposited by him in the account of the company and thereby he has committed the offence of embezzlement.
6. Considered on the contents of the case diary, there is evidence on record showing that the payment was directly made to the applicant but he has not deposited the same with the company. Hence, looking to the present situation, it appears that no extra-ordinary case is made out in favour of the applicant for grant of anticipatory bail. Therefore, I am of this view that this is not a fit case where the applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge