

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3059 of 2018**

- Gobind Singh S/o Tilchand Aged About 45 Years Caste Gond, R/o Village Khokhuniya, Police Station Rajpur, District Balrampur Ramanujganj, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Dhaurpur, District Surguja, Chhattisgarh

---- Respondent

For Applicant	: Ms. Sangeeta Soni, Advocate
For respondent/State	: Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****18.7.2018**

1. This is the Fourth bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 06.6.2017 in connection with Crime No.47/2016, registered at Police Station Dhaurpur, District-Surguja (CG) for the offence punishable under Sections 420, 467 read with Section 34 of the Indian Penal Code.

2. As per the case of the prosecution, the applicant was posted as a cashier in a Cooperative Bank and certain withdrawal forms were submitted for withdrawal of amount to the tune of Rs.24,90,780/-. The said amount was withdrawn by the applicant but it was not paid to the persons who have submitted the withdrawal forms.

3. Learned counsel for the applicant submits that the statement of the witnesses have been recorded before the trial Court, but they have not supported the version of the prosecution, therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and would submit that it is a case of forgery and cheating, out of 185 persons only 41 persons have been cited as witnesses. Therefore, it is not a fit case to enlarge bail to the applicant.

5. I have heard learned counsel for the parties and perused the case diary.

6. Considering the facts that the complaint was filed for 185 persons for whom bonus of paddy was to be paid but it was not paid because the amount of said villagers was withdrawn by the applicant without tallying their signature, therefore, there is prima facie case against present applicant. As the matter is fixed for recording statement of applicant under Section 313 CrPC and it is likely that the trial will be concluded within short period, I am not inclined to release the applicant on bail.

7. Accordingly, application filed under Section 439 of the CrPC is rejected.

Sd/-
(Ram Prasanna Sharma)
JUDGE