

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4944 of 2018

- Amit Shrivastava S/o Late K. K. Shrivastava, Aged About 40 Years, R/o Masih Hotel, Jarhabhatha, Police Station Civil Line, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Hirri, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Gaurav Saxena, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-08-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 17-06-2018 in connection with Crime No.142/2018 registered at P.S. - Hirri, District Bilaspur, Chhattisgarh for the offence under Section 381 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 17-06-2018. No case is made out against him. A false FIR has been lodged against this applicant only for the reason that this applicant wanted to leave the job of employer Shrivasu Logistic Limited. The applicant has no criminal antecedent. Hence, it is prayed that the applicant may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant in the capacity of Cashier of the company has misappropriated Rs.82,700/-, hence, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. The case against the applicant is this, that he was employed as Cashier

in Shrivasu Logistic Limited, it is alleged that the applicant was in possession of amount Rs. 82,700/- of the company and keeping it in his possession he went in absconsion and did not turn up to the job. Hence, the FIR has been lodged.

6. After considering on the material present in the case diary and the facts that the case against the applicant is triable by JMFC, the applicant is local resident of District Bilaspur, I feel inclined to grant regular bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge