

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 888 of 2018

- Ramdhani Bhardwaj S/o Late Kunjram Bhardwaj Aged About 60 Years
R/o Police Line, Police Station-Civil Line, Bilaspur, District- Bilaspur,
Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station-Civil Line, Bilaspur, Chhattisgarh., District : Bilaspur,
Chhattisgarh

---- Respondent

For Applicant : Ms. Anusuiya Rajput, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

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

02/08/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.559/2018 registered at Police Station-Civil Line, District – Bilaspur (C.G.), for the offence punishable under Section 409 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The fact is this that on the instructions given by Reserve Police Inspector, the applicant had spent huge amount of Rs.7,85,529/- for various works including personal works and when the applicant demanded back the said amount, he

has falsely implicated in this case. Applicant is a public servant and will be retired just after one year. Hence, it is prayed that applicant may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that there is evidence that this applicant has misused his official position and forged the signatures of superior authorities for passing various bills and thus committed the offence of misappropriation. Hence, no case is made out for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. The allegation against this applicant is this that the applicant was in-charge of Motor Branch of the Police Line, Bilaspur. It is alleged that on the strength of fake & forged bills regarding repair works etc. of the vehicles, the applicant has withdrawn the amount from the department and thereby misappropriated a sum of Rs.82,000/-. Hence, this case.
6. After consideration on all the circumstances and the change that has taken place, I am of this opinion that applicant should be granted anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha