

AFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5134 of 2018**

Naresh Singh Kanwar S/o Shri Bhagat Singh, Aged About 45 Years R/o Village- Kedma, Police Station Udaypur, District- Surguja, Ambikapur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant	:	Shri Sunil Sahu, Advocate
For the State	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**20/07/2018**

1. This is the third bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Applicant has been arrested in connection with the Crime No. 72/2015 registered at Police Station Udaypur, District Surguja (C.G.) for the offence punishable under Sections 420, 409, 467, 468, 471 and 216 of Indian Penal Code.
3. Case of the prosecution, in brief is that the present applicant was posted as Shakha Dakpal at Kedma from 24/05/2001. During his tenure he obtained Rs. 3,17,648/- for the payment of the beneficiaries. He had obtained the signatures in payment slip of the beneficiaries but payment was not made to them. He had misappropriated the said amount. He had also not deposited Rs.3,550/- in Saving Bank Account and also misappropriated it.
4. Learned counsel for the applicant submits that trial is delayed which is new ground to release the applicant on bail.
5. On the other hand, learned counsel for the State objected that earlier

two bail applications have been rejected considering the merits of the case and there is no such new ground which may entitle the applicant to enlarge on bail.

6. Delay in trial itself is not sufficient ground to release the applicant on bail. There is no material change in the circumstances of the case which may entitle the applicant to be enlarged on bail.
7. Consequently, this third bail application is dismissed.

Sd/-

(Sharad Kumar Gupta)
Judge