

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5935 of 2018

- Srinivas Rao Naidu S/o Late Shri K.S. Rao, Aged About 45 Years, R/o- M.I.G. 226, Housing Board Colony Deorikhurd, Police Station- Torwa, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Station Torwa, District- Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Awadh Tripathi, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-09-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application was dismissed as withdrawn. The applicant has been arrested on 18-06-2018 in connection with Crime No.205/2017 registered at P.S. - Torwa, District- Bilaspur, Chhattisgarh for the offence under Section 420, 34 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 18-06-2018, i.e. from the date he surrendered before the Court himself. No case is made out against him according to the material present in the charge sheet filed against him. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is responsible for misappropriation of huge amount of Rs.46,86,941/- and he has also received huge amount from the persons aggrieved on the pretext that he will get them appointed in Government job. Hence, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the case of prosecution, this applicant gave inducement to the residents of his locality to make groups for the purpose of his scheme of monthly draw, for which, each of the members had to make some contribution and the amount so contributed was to be paid to the one person according to the draw made in that respect. It is alleged that the applicant made several groups in the locality and he received a total amount of Rs.46,89,941/- which was the collection of the contribution given by the various members in the various groups and has misappropriated the same. It is also alleged that this applicant has received money by inducing the aggrieved persons that he will get them appointed to the Government job. Hence, this case.

6. Considered on the material present in the case diary. In the present circumstances when the case is before the trial Court, and the trial against him is likely to take some time before its conclusion, there is no longer any reason to keep the applicant in detention till conclusion of the trial, hence, for these reasons, 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