

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6688 of 2018**

- Ram Khelawan Singh S/o Mahabir Singh Aged About 47 Years R/o Village Ghatai, Police Station Janakpur, Tahsil Bharatpur, District - Korea, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Of Police Station Janakpur, District - Korea, Chhattisgarh

---- Respondent

For Applicant	:	Shri Harish Khuntiya, Advocate
For Respondent/State	:	Shri DR Minj, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/10/2018**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 20.09.2016 in connection with Crime No.69/2014 registered at Police Station Janakpur, District Korea (CG) for the offence punishable under Sections 420, 409/34 IPC.
2. The First Bail application bearing M.Cr.C. No.998/2017 was dismissed on 27.03.2017.
3. As per the prosecution case, the applicant was incharge of the paddy procurement center and one of the committee member, he embezzled the

quantity of 5851.60 quintals of paddy at Janakpur paddy procurement center cost of which was Rs.54 Lakhs. Thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant has suffered paralysis and the applicant is in jail since 20.09.2016 and there is no substantive progress in the trial as the first bail was dismissed on 27.03.2017. He further submits that the co-accused has been enlarged on bail, therefore, the applicant may also be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the facts and circumstances of the case and also taking into that the applicant is in jail since 20.09.2016, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu