

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7694 of 2017**

Rajveer Singh, aged about 29 years, son of Sardar Gurudev Singh, resident of Plot No. 32, Sunder Nagar, Supela Bhilai, District Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bhilai Nagar, District Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.P. Singh, Advocate.
For the Respondent/State	:	Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.01.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 438 of 2017, registered at Police Station Bhilai Nagar, District Durg, Chhattisgarh for the offence punishable under Section 409 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 11.09.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. After filing of charge-sheet, complainant – Avnish Singh Thakur has been examined before the trial Court; who turned hostile

and has not made any statement against the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is sufficient evidence against the applicant for prosecution. Hence, it is prayed that the applicant is not entitled for grant of bail.

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

5. The case is that the applicant was Manager of Safeguard Private Limited, Raipur and he has the responsibility to collect the amount from liquor shops and to deposit the same in Head Office, Raipur. After collection of an amount of Rs.16,75,450/-, the applicant did not deposit the same in the Head Office because of which, the FIR was lodged. The amount has been recovered at the instance of this applicant.

6. Considering the submissions made and the contents of the case diary, the applicant is a local resident of District Durg and there shall be no difficulty in his availability during trial, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge