

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8152 of 2018

Awadhesh Kumar Shukla, S/o. Shri Shivshankar Shukla, Aged About 36 Years, R/o. Village- Sakti, P.S. Sakti, District- Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Janakpur, District- Korea, Chhattisgarh.

---- Respondent

For Applicant : Mr. Prakash Tiwari, Advocate

For Respondent : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02.11.2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.55/2017 registered at Police Station- Janakpur, District Korea (C.G.) for the offence punishable under Section 409, 420, 466, 468, 471 read with Section 34 of Indian Penal Code.
2. As per the prosecution case, Rakesh Kumar Sinha who was working as Sub Postmaster at Post Office- Janakpur has made fake withdrawal from the different accounts to the extent of Rs.1,16,82,332/- and it revealed when the original account holders went to withdraw the amount, it is alleged that the present applicant was also one of the employee. Thereby, the offence has been committed.
3. Learned counsel for the applicant submits that the main accused Rakesh Kumar Sinha has been enlarged on bail on 25.09.2018 in

MCRC No.5455 of 2018 and the evidences are documentary in nature, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed accused has already been enlarged on bail.
5. Perused the case diary and the documents. Considering the fact that the similarly placed accused Rakesh Kumar Sinha has already been enlarged on bail, I am inclined to release the present applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy, today.

Sd/-
(Goutam Bhaduri)
Judge