

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 525 of 2019**

- Bhikham Patel S/o Madhura Patel Aged About 24 Years R/o Village Paatsivni, Police Station Chura, District Gariyabandh Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Chura, District Gariyabandh, Chhattisgarh

---- Respondent

For applicant	Mr. S.S. Baghel, Adv.
For Respondent/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****7-2-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 1/2018 registered in police station Chura, Gariyabandh for offence punishable under Section 3 and 7 of the Essential Commodities Act.
3. Prosecution story in brief is that the applicant was salesman of Government Fair Price Shop of village Piparhaththa, Jamli Parsda under the Tribal Welfare Cooperative Society. During inquiry it was found that the applicant had misappropriated Rs. 8,26,875/-. It was found that manager and president of the society are also involved in the offence.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that charge sheet has been filed. The applicant is in jail since 31-8-2018. Hence he may be released on bail.
5. Role of the Manager and President of the society is different from the applicant.
6. On the other hand, the State Counsel opposed the bail application.
7. Looking to the facts and circumstances of the case, looking to the huge amount misappropriated in the matter and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge