

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 850 of 2019

- Ved Prasad Thakur S/o Dashrath Thakur, Aged About 27 Years R/o New Mata Mini Mata Basti, Talapara, Bilaspur, Police Station – Civil Line, District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Bilha, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri A.D. Kuldeep, Advocate.
For Respondent/State : Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/03/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 192/2018, registered at Police Station – Bilha, District- Bilaspur, (C.G.) for the offence punishable under Sections 406 of IPC.
2. In this case, at the relevant time present Applicant was working as driver of the Complainant Pramod Agrawal. Allegedly, on 03.07.2018 Complainant Pramod Agrawal gave Rs. 2,50,000/- to the present Applicant for giving it to one Clerk namely Santosh Shukla. It is alleged that after taking money from the Complainant, present Applicant did not give it to Santosh Shukla and thus, mis-appropriated the money. On 04.07.2018, a report was made by Complainant and on the basis of the said, offence has been registered. During course of investigation, on the basis of memorandum statement of the Applicant, one T.V.S. Redanz vehicle has been seized from the Applicant. The Applicant has been taken into custody 10.01.2019.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some mis-understanding. He also submits that charge-sheet has been filed and Applicant has no previous antecedents. Applicant is in custody since 10.01.2019 and trial is likely to take some time. Therefore, he may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, Applicant is in custody since 10.01.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge