

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 820 of 2019

- Kiran Kumar Sarthi S/o Mohan Lal Aged About 24 Years R/o Sukhapali, Police Station Sariya, At Present R/o Kodatarai, House Of Churamani Balmiki, Tahsil Pusaur, District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kotra Road District Raigarh Chhattisgarh

---- Respondent

For Applicant	: Mr. Ashish Gupta, Advocate.
For Respondent/State	: Mr. Sumit Singh, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/02/2019

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. 325/2018, registered at Police Station – Kotra Road, District Raigarh- (C.G.) for the offence punishable under Section 409 of the IPC.
2. In this case, allegation against the present applicant is that as the applicant is working as a postman and he had collected the total amount of Rs. 56,500/- from different depositor under Sukanya Samriddhi Scheme but the said amount has not been deposited by him in the concerned office. On the basis of above, a report has been lodged against him and he has been taken in custody on 09.12.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is a government servant, he has no criminal antecedent, he is in custody since 09.12.2018, charge-sheet

has already been filed and trial will take some time. Therefore, the applicant 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 with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 09.12.2018, charge-sheet has already been filed, offence is triable by Judicial Magistrate First Class and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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 Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge