

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1557 of 2019

- Panchuram Ghritlahre S/o Shri Sonuram Ghritlahre Aged About 37 Years R/o Village Chherkapur, P.S.Palari, District Baloda Bazar-Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Palari, District Baloda Bazar-Bhatapara Chhattisgarh

---- Non Applicant

For the Applicant : Shri Anish Tiwari, Advocate

For the State : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

03.04.2019

1. This is the first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.632/2018 registered at Police Station- Palari, District- Balodabazar-Bhathapara (C.G.) for the offence punishable under Sections 406, 420, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that applicant was burdock Supervisor in Prathmik Krishi Sakh Sahkari Samiti Maryadit, Chherkapur. Applicant had sold without any authority 7,772 bags of burdock and caused loss of Rs.4,58,548/- to that Samiti. Applicant and data entry operator coaccused Yaadram Fekar had issued bogus token and try to cause loss of Rs.3,34,180/- to the said society.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case and he further submits that applicant had not caused any loss to that society, he further argued that alleged 7,772 bags of burdock were empty and there is no material that they were filled with paddy, Coaccused Yaadram Fekar has been released on bail by this Court, thus, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. The allegations against the applicant are not identical to the allegations against the applicant Yaadram Fekar. In the case in hand there is also allegation against the applicant that he sold 7,772 bags without any authority and caused loss of Rs.4,58,548/- to that society, prima facie it does not appear untrue. The case of applicant is in different footing as compared to case of coaccused Yaadram Fekar, who was granted bail by this Court. Thus, applicant does not get any help from the bail order of Yaadram Fekar.
7. Looking to the facts and circumstances of the case, looking to the material available on record, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge

Parul