

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2637 of 2019

- Om Prakash Sidar S/o Dev Kumar Sidar, Aged About 23 Years, R/o Parshapali Post Office Lutesara, Chandarpur District Janjgeer Champa Chhattisgarh., Present Add. Nawagadi Rajapara. Raigarh Chhattisgarh Tahsil & District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Out Post Jutemill, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Anshuman Rabra, Advocate.

For Non-applicant/State – Shri Vikram Dixit, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 30-01-2019 in connection with Crime No.1363/2018 registered at P.S. City Kotwali, Out Post Jutemill, District Raigarh, Chhattisgarh for the offence under Section 409, 467, 468, 471 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 30-01-2019. The case has been investigated and charge sheet has been filed. The applicant is a public servant under suspension. He intends to disprove the case of the prosecution in trial. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the applicant was working as Gram Dak Sewak under Postal Department. It is alleged that he had made withdrawal from saving accounts of the beneficiaries and has misappropriated the amount so withdrawn to the tune of Rs.4,05,000/-. Hence, this case.

6. Considering on the material present in the case diary and for the reason that the case is now pending for trial and the trial is likely to take some time, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge