

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A.) No. 560 of 2019

- Bodhram Panda S/o Late Makhan Lal Panda, Aged About 52 Years, R/o Village- Jhariyapali, Police Station- Gharghoda, District- Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station Gharghoda, District- Raigarh Chhattisgarh

---- Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate.

For Non-applicant/State : Mr. Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-07-2019

Heard.

1. This is second application for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 172/2018, registered at Police Station- Gharghoda, District- Raigarh (C.G.) for the offence punishable under Sections 408, 420, 34 of I.P.C. The earlier application filed by this applicant was dismissed as withdrawn on 10.09.2018 in M.Cr.C. No. 922 of 2018.
2. The applicant is falsely implicated in this case and the police has not made any investigation in this case so far for taking a statement of the person to whom the hardware was supplied or by making any seizure of the articles and the stock register of the complainant. Therefore, the complaint is based only on the statement made by the complainant himself which cannot be complete, the F.I.R. is delayed by 10 days. Therefore, it is prayed that this applicant may also be granted bail.

3. Learned counsel for the State opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The complainant has lodged F.I.R. alleging that this applicant and one co-accused were employed in his hardware shop. It is alleged that in making supply to two persons the number of Asbestos seats that were ordered by the said customers in their place, this applicant and the co-accused have supplied surplus asbestos seats causing loss to the complainant. Hence, this case.
6. After considering the material present in the case diary and the slow progress of the investigation, I feel inclined to allow this application.
7. Hence, the bail application filed under Section 438 of Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge