

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2813 of 2019

- Rewaram S/o Bhagwani Banjare, Aged About 27 Years R/o Litiyadadar, Police Station - Bagbahara, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Kurud, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Navin Shukla, Advocate.
For Non-applicant : Ms. S. Mishra, Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

09.05.2019

1. This is 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. 382/2018 registered at Police Station – Kurud District - Dhamtari (C.G.) for the offence punishable under Section 409 of the Indian Penal Code.
3. Case of the prosecution, in brief is that applicant was posted as field officer FDO at Kurud branch of Aasirwad Micro Finance Limited Company between June, 2017 to 12th June, 2018. He had received the amount of installments from 26 beneficiaries i.e. Rs. 2,59,518/-. He did not deposit the said amount in the company and misappropriated it.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. As per the true copy of the application under Section 320(1) Cr.P.C. which is part of the bail application the matter has been compromised between applicant and all the 24 complainants /beneficiaries.
7. Looking to the above facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE