

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3115 of 2019

- Arun Kumar Singh S/o Vijay Bahadur Singh, Aged About 37 Years, R/o Amaliya Ramnagar Satna Madhya Pradesh, Present Address Vikas Nagar, Kotra Road, Tehsil and District Raigarh Chhattigarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, Raigarh District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Mateen Siddiqui and Shri Ashutosh Mishra, Advocates.
For Non-applicant/State – Shri Devendra Pratap Singh, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-07-2019

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 16-01-2019 in connection with Crime No.1568/2018 registered at P.S. - City Kotwali, District Raigarh, Chhattisgarh for the offence under Section 408 and 420 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 16-01-2019. The applicant had made deposit of all the collection made by him in the bank through the Writer Safeguard Company, therefore, he has not committed any embezzlement on his part. Therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant has received the collection from various customers to the tune of Rs.26,41,243/- regarding which he has produced fake receipts showing deposit in the bank, therefore, he is not entitled for grant of bail.

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

5. Complainant Manoj Kumar Mishra on behalf of Instakart Services Pvt. Ltd. has lodged the FIR against the applicant stating that this applicant has made collection from various customers of Rs.26,41,243/- and the same has not been deposited in the bank account and embezzled by the applicant. On making initial enquiry it was found that the deposit slips produced by the applicant were forged.

6. On perusal of the material present in the case diary, it appears that there is evidence present against the applicant regarding commission of crime as alleged. Therefore, I do not feel inclined to allow this application.

7. Consequently, the application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge