

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3935 of 2019

Dinesh Singh Thakur, S/o. Kumar Singh Thakur, Aged About 36 Years, R/o. Ravan Bhata, Police Station City Kotwali, Mungeli District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Officer, In- Charge Of Police Station City Kotwali, Mungeli District Mungeli Chhattisgarh.

---- Respondent

For Applicant : Mr. Pallav Mishra, Advocate

For Respondent/State : Mr. Shubhash Yadav, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

24/07/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.307/2019, registered at Police Station – City Kotwali, Mungeli, District – Mungeli (C.G.) for the offence punishable under Section 409, 420, 506 of the Indian Penal Code .
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 05.05.2019. The applicant had been working as LIC agent and he had given services for policy issued through him in favour of the husband of the

complainant. After the death of the husband of the complainant, this applicant has also given services for withdrawal of compensation amount. The actual complaint is only that the applicant has retained Rs.93,000/- out of the amount withdrawn for compensation. The applicant does not have any criminal antecedents. Therefore, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, this applicant in capacity of agent of LIC had given services to the complainant for withdrawal of compensation that had accrued for insurance policy after the death of her husband. She has alleged that out of total money withdrawn, this applicant kept Rs.4.00 lakhs for his personal use and thus has misappropriated and cheated the complainant. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. After considering on the material present in the case diary and for the reason that case is now pending for trial and there is likelihood of delay in conclusion of trial and there is no other criminal antecedents against the applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the 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 surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram