

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4037 of 2019

Roshan Alam, S/o. Late Bakridan Ansari, Aged About 34 Years, R/o. Village Murka, Police Station and Tahsil Rajpur, District Balrampur- Ramanujganj Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Rajpur, District Balrampur - Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Hamida Siddiqui, Advocate
For Respondent/State	: Mr. Vikram Dixit, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/07/2019

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.126/2019, registered at Police Station – Rajpur, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 409, 420, 467, 468 & 471 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 15.05.2019. The applicant was working as Data Entry Operator in the Panchayat

concerned and is responsible only to make entries. The applicant has not committed any offence. There is no requirement of his detention for the purpose of investigation. 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. It is submitted that there is clear evidence against the applicant regarding defalcation made by him. Hence, the application be rejected.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the applicant was working as Village Level Entrepreneur in the Gram Panchayat – Murka. The applicant has made withdrawal from the accounts of the beneficiaries and did not make complete payment to them in this way he has withheld amount of Rs.1,63,762/-, which he has misappropriated. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering on the diary statement of the witness, the applicant does not have any criminal antecedents and there is no requirement of his detention for the purpose of investigation, 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