

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 4206 of 2019**

Anand Mishra S/o Shri Visamber Nath Mishra Aged About 27 Years R/o Near Durga Mandir, Gram And Post Mandhar, District Raipur Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, District Raipur Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 4611 Of 2019**

Abhinav Jain S/o Shri Yashpal Jain Aged About 29 Years R/o Amaleshwar Wood Lceland City, House No. 143, P.S. Amaleshwar, District- Durg, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through Station House Officer, P.S. Azad Chowk, Raipur, Civil And Revenue District- Raipur, Chhattisgarh.

**---- Respondent**


---

|                          |   |                                                            |
|--------------------------|---|------------------------------------------------------------|
| For the Applicants       | : | Shri Awadh Tripathi and Shri Dashrath Kushwaha, Advocates. |
| For the Respondent/State | : | Shri Neeraj Pradhan, P.L.                                  |

---

**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****06.08.2019**

Heard.

- Both these applications are being decided by this common order as they arise from the same incident. These are the first and second bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.74 of 2019, registered at Police Station

Azad Chowk, District – Raipur, Chhattisgarh for the offence punishable under Sections 420 and 408/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submit that the applicants have been falsely implicated in this case. It had been in fact a financial dispute regarding which FIR has been lodged in police station Azad Chowk, District Bilaspur to realise the amount from the applicants. After completion of investigation, the charge-sheet has been filed.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

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

5. According to the prosecution case, the applicants were employees of Sunita Finlish Finance Company Limited. It is alleged that while making collections from various customers, the amount of Rs.11,15,188/- was embezzled. It is mentioned in the complaint that a part of an amount of Rs.4,95,000/- has been refunded by the applicants when the fraud committed by them was discovered, but still an amount of Rs.6,20,188/- was outstanding.

6. Considered the material present in the case-diary. In M.Cr.C. No.4206 of 2019, applicant – Anand Mishra a copy of receipt has been attached in which it has been stated by the representative that applicant – Anand Mishra has repaid all the amounts embezzled by him. Similarly, applicant – Abhinav

Jain in M.Cr.C. No. 4611 of 2019, states that the applicant is ready to make refund of the amount against him and the case is now pending before the trial Court. Hence, for these reasons, I feel inclined to grant regular bail to the applicants in both the cases.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases shall be released on bail on each of them 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 their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge