

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5676 of 2019**

- Santram S/o Shri Aadi, aged about 25 years, R/o village Amapali, P.S. & Tahsil – Baramkela, Civil & Revenue District Raigarh (C.G.)

---- Applicant• **Versus**

- State Of Chhattisgarh Through – Station House Officer, Police Station Baramkela, District Raigarh, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.108/2019, registered at Police Station – Baramkela, District Raigarh (C.G.) for the offence punishable under Section 420/34 of IPC.
2. Allegation against the present applicant is that while he was posted along with his partner Devi Prasad Mohanty as Field Officer and Branch Manager, respectively, in Arohon Financial Company, Barmakela, they both obtained loan of Rs.2,30,000/- fraudulently in the name of four persons of village Kaparatunga, two persons of village Chhindpatora, three persons of village Muchhamalda, one person of village Kermela, two persons of village Piparkhuntha and four persons of village Karpi and embezzled the amount and used the same for self expenses. Based on this, offence has been registered. Present applicant has been taken into custody on

12.07.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the main accused is the Branch Manager, who is absconded. He also submits that the present applicant is in custody since 12.07.2019, charge sheet has been filed, the case is triable by Judicial Magistrate First Class and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 12.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge