

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.10058 of 2018**

Nuruddin Ansari, aged about 31 years, S/o M.A. Ansari, R/o Qtr. No.1/F Street No.30, Sector 6, Bhilai, District Durg (CG).
---- Applicant

Versus

State of Chhattisgarh, through District Magistrate, Raipur (CG).
---- Non-applicant

For Applicant : Mr. Sudeep Johri, Advocate.

For Non-applicant/State : Mr. I. Lakra, Dy.G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**23.01.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.281/2017 registered in Police Station Thana Abhanpur, District Raipur for the offence punishable under Section 408 of Indian Penal Code.
3. Prosecution story in brief is that the applicant was working as a Accountant in the office of Rawatpura Sarkar Group of Institution, Naya Raipur. He embezzled the collected fees an amounting of Rs.5,67,324/-.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail however he submitted that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not commit any such type of offence in future and he shall not leave Raipur District without obtaining permission from the concerned trial court.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-