

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 494 of 2019**

- Brijlal Bisi S/o Laboram Bisi Aged About 42 Years R/o Village Madagaon, Poloce Station Devbhog, District-Gariyaband Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station-Devghog, District-Gariyaband Chhattisgarh

---- Respondent

For Applicant	:	Shri Shrikant Mishra with Shri Manish Thakur, Advocates
For Respondent/State	:	Shri R.K. Bhagat, Dy. GA for the State.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****01/02/2019**

1. This is the Second Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 23.09.2015 in connection with Crime No.42/2015 registered at Police Station Devbhog, District Gariyaband (CG) for the offence punishable under Sections 409, 420, 467, 468, 471 and 120-B IPC.
2. The First Bail application bearing M.Cr.C. No.4709 of 2016 was dismissed on 22.08.2016.
3. Case of the prosecution, in brief, is that the applicant along with other co-accused persons namely Ghanshyam Yadu, Ghasiram Yadu, Tulsi Ram Diwan, Gulab Yadu and Kumud Kumar Sahu in the year 2013-2014 committed certain

irregularities being the office bearers of the Prathmik Krishi Sakh Sahkari Samiti Maryadit, Jhakharpara, District Gariyaband and embezzled an amount of Rs.4,01,96,145/- (24,966.55 quintals of paddy) and thereby committed the offence.

4. Learned counsel for the applicant submits that out of 43 witnesses only two witnesses namely Anil Kumar (PW-1) and Ashwanath Singh (PW-2) have been examined and they have not deposed anything against the present applicant. He further submits that the applicant is in jail since 23.09.2015 and the trial may take some time, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the fact that out of 43 witnesses only two witnesses have been examined and the applicant is in jail since 23.09.2015, I am inclined to release the applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu