

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 265 of 2020**

- Chhatrapal Singh Kanwar S/o Dukhi Singh Kanwar Aged About 61 Years R/o Kuteshar Nagoi, Tahsil Podi Uroda, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Katghora, District Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Prasun Kumar Bhaduri, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 52/2018 registered at Police Station-Katghora, District - Korba (C.G.) for the offence punishable under Sections 420, 406, 34 of the IPC.
2. The prosecution story, in brief is that, one Samar Singh Kanwar who happened to be a Manager of Primary Minor Forest Produce Co-operative Society, Tuman under Forest Range Jatga in the year 2015, misappropriated an amount of Rs. 85,000/- from the account of the society and has committed criminal breach of trust and cheating. It is further alleged that the present applicant was also involved in the said crime. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the applicant is in jail since 19.12.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the offences are triable by Judicial Magistrate First Class. The applicant is in jail since 19.12.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local 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 to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**