

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 645 of 2020**

- Nohar Das Kosre S/o Let Milandas Aged About 42 Years R/o Village Ward No. 14 Sonesarar Khairagarh, P.S. And Tahsil Khairagarh, District - Rajnandgaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Gandai, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. C.K. Kesharwani, Advocate.
For Respondent/State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.03.2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 173/2019 registered at Police Station – Gandai, District Rajnandgaon (C.G.) for the offence punishable under Section 409 of the IPC.
2. The allegation against the present applicant is that he along with other co-accused person was committed the offence of breach of trust in the Government Fair Price Shop at Tikripara. After verification, it was found that the present applicant embezzled an amount of Rs. 55,920/- while working as in-charge of the aforesaid shop and thereby committed the aforesaid offence of breach of trust.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further added in his submission that the co-accused person of this case namely Naresh Kumar Sahu has already been granted bail by this Court on 06.02.2020 passed in MCRC No. 8327/2019 and the applicant is in jail since 10.01.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

4. Per contra, State counsel 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, the fact that the other co-accused person has already been granted bail by this Court, as the applicant is in jail since 10.01.2020 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 said Court on each and every date given to him by the said Court.

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

Vijay Sahu