

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 305 of 2020

1. Pinaki Sit @ Pankaj Mukharji And Ors. S/o Shri H.K. Sit Aged About 46 Years R/o Rameshwar Nagar, Near Madarsa, Bhanpuri, Raipur, Tahsil And District : Raipur, Chhattisgarh
2. Ajit Patel S/o Dharamjeet Patel Aged About 39 Years R/o Village Churhat Pachokhar, Tahsil Sidhi, District : Sidhi, Madhya Pradesh
3. Khemeshwari D/o Banshi Lal Aged About 26 Years R/o Kanker, Tahsil And District : Kanker, Chhattisgarh
4. Swarnmayee Behra S/o Prabhat Chandra Behra Aged About 27 Years R/o Adava Gajapati Tahsil And District Gajapati Odisha

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Kanker, District Kanker Chhattisgarh., District : Kanker, Chhattisgarh

---- Respondent

For Applicant/s	:	Shri Mirza Hafeez Baig, Advocate
For State	:	Shri Vimlesh Bajpai, G.A.
For Objector	:	Shri Sandeep Yadav, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/06/2020

Heard.

1. The applicants are apprehending their arrest in connection with Crime No.452/2019 registered at police station – Kanker, CG for alleged commission of offence under Sections 420 and 34 of IPC.
2. The prosecution allegation against the applicants are that they were working in the hotel of the complainant and while working as such, the applicants misappropriated an amount of Rs.1,04,500/-.
3. Learned counsel for the applicant submits that the allegation against them are false and fabricated. The applicants never mis-appropriated any amount.

Whatever amount used to be deposited was kept with the cashier. The cashier herself left the hotel without any formal hand over. The applicants left the hotel at different point of time.

4. Learned counsel for the State and objector submits that the allegations against the applicants are based on the entries made in the bill books and other records of the hotel, which shows that from time to time different amount were deposited and the applicants were involved in mis-appropriating amount on bills which is kept by the cashier and thereafter applicants left the hotel.

5. Having considered the submission of learned counsel for the parties and particularly taking into consideration that the allegation that applicants are mis-appropriating the money based on bill books and entries made on records, therefore, present is not a fit case for grant of anticipatory bail. The application for grant of anticipatory bail is therefore rejected.

6. In the last, learned counsel for the applicants submits that in case of filing of regular bail application before the Court below, the same may be considered on the same day. It is directed that if the applicants surrender and apply for regular bail, the application as far as possible, may be considered on the same day and in any case within three days.

Sd/-

(Manindra Mohan Shrivastava)
Judge