

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4376 of 2020**

- Santosh Kumar Pal son of Shrilal, aged about 23 years, resident of Village Mau, Thana- Chitrakut, District Chitrakut U.P.

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station Basna, District Mahasamund C.G.

---- Respondent

For Applicant. : Mr. Vikas Pradhan, Advocate.
 For Respondent/State : Mr. H. S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2020**

1. The applicant has filed this first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 77/2020 registered at Police Station Basna, District Mahasamund (C.G.) for the offence punishable under Sections 409 & 120-B/34 of the IPC.
2. The allegation against the present applicant, as per the prosecution case is that he along with co-accused after selling the liquor amounting of Rs. 16,93,074/- has not deposited the amount in the bank and fraudulently took away the same and thus has misappropriated the same.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question because he was not involved in any such incident. He next submits

that the main allegation is against the co-accused person who has already been granted bail by this Hon'ble Court on 09.06.2020 passed in MCRC No. 1841/2020. He also added that, the applicant is in jail since 26.02.2020 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, fact that the co-accused has already been granted bail by this Court, as applicant is in jail since 26.02.2020 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