

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5497 of 2020**

- Ravikant Verma S/o Shri Banwali Ram Verma Aged About 26 Years R/o Ward No. 02 Tulsi, P. S. Newra, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Bhatapara Rural District : Balodabazar-Bhatapara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Prafull N. Bharat, Advocate.
For State	:	Mr. Sandeep Sharma, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/10/2020**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.301/2020 registered at Police Station- Bhatapara Rural District : Balodabazar-Bhatapara, C.G. for the offence under Sections 406, 420, 120 (B) & 34 of IPC.
2. Prosecution case is that the rice grain and other grains, value of more than Rs.19 lacs were diverted and instead of being supplied to the destination, it was taken elsewhere. Allegation against the present applicant is that the applicant was also involved in the entire conspiracy.
3. Learned counsel for the applicant would argue that the applicant's name has been involved only on the basis of memorandum of co-accused Pawan Kumar and since there is no specific material in terms of entrustment with him, case under Section 406 IPC would not be made. Even for Section 420 IPC, except that the co-accused planned the commission of offence, it cannot be said that the present applicant was involved in the conspiracy.
4. On the other hand, learned State Counsel opposes and submits that prosecution case is based on conspiracy hatched by co-accused, in which,

applicant was involved having a role played towards facilitating commission of offence.

5. Taking into consideration the submissions of learned counsel for the parties, particularly taking into consideration the amount involved in the case, present is not a fit case for grant of bail. However, in case, trial does not commence or concluded within three months, applicant would be at liberty to revive bail application.
6. The bail application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Ravi