

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5961 of 2020**

- Vindeshwari Prasad Khare @ V. P. Khare S/o Brijbihari Khare Aged About 56 Years R/o Kapil Nagar, Sarkanda, Bilaspur Tahsil and District Bilaspur Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh Through Station House Officer, Out Post Chowki Chilphi, Police Station Lormi, District Mungeli Chhattisgarh. **---- Respondent**

For Applicant	:	Smt. Seema Singh, Advocate
For State	:	Shri Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****19/10/2020**

1. Heard on application for grant of bail.
2. The applicant has been arrested on 27.07.2020, on the allegation of having committed offence under Section 409/34 of I.P.C. He moved this application for grant of bail in connection with Crime No.423/2014 registered at Police Station- Lormi, District-Mungeli (C.G.).
3. Prosecution case is that while the applicant was working as Assistant Sub Engineer, supervising construction of one godown in village Khaprikala, was found to be substandard, in this way, the applicant and the contractor misappropriated Rs. 475703/-.
4. Learned counsel for the applicant would argue that the applicant is falsely implicated and he has not committed any offence. The construction work has not been done in supervision of the applicant, therefore, the contractor has to explain. He further submits that investigation is complete, charge sheet has been filed. Applicant is in jail since 27.07.2020 and as co-accused has already been granted bail, therefore, he may also be granted bail.
5. On the other hand, learned State Counsel opposes the prayer for grant of bail

and submits that the prima-facie involvement of the applicant clearly indicates in the present case because he was working as Asst. Sub Engineer and entire construction work was under his supervision and on inquiry, the construction was found sub standard and both contractor and the present applicant are involved in the substandard construction of the godown and they misappropriated Rs. 475703/-.

6. I have heard learned counsel for the parties and taking into consideration the nature of the offense, the investigation is complete, charge sheet has been filed and the applicant is in jail since 27.07.2020, co-accused has been released on bail, it is a fit case for grant of bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail, on his furnishing a personal bond in the sum of Rs.25,000/- with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that-
 - a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) The applicant shall not in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge