

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5813 of 2020**

- Visheshwar Prasad Kannoujiya S/o Sadavriksh Kannoujiya Aged About 40 Years Occupation Driver R/o Village Pansara, Police Chowki Wadrufnagar Police Station Basantpur, District Balrampur-Ramanujganj Chhattisgarh. **---- Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Balrampur, Dist. Balrampur-Ramanujganj Chhattisgarh. **---- Respondent**

For Applicant	:	Mr. Arun Kumar Shukla, Advocate.
For State	:	Mrs. Vimlesh Bajpai, Dy Advocate General

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****25-11-2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 27-7-2020 in connection with Crime No.7 of 2020 registered at Police Station Balrampur, Ramanujganju (CG) for the offence punishable under Sections 420, 467, 468 and 471 of IPC.
2. The allegation against the present applicant is that while he was working as driver in the office of the Collector, Balrampur, he took diesel by using false and fabricated slip and thereby misappropriated the Government fund.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. There is no evidence to show that the applicant used the government fund and only on the basis of statement of Manager of the Petrol Pump, the applicant was

made accused. He would further submit that the alleged amount has already been deposited by the applicant to the Manager of the Petrol. He further submits that the applicant is in custody since 27-7-2020 and trial is likely to take some time for its disposal, therefore, the present applicant may be granted bail.

4. On the other hand, learned counsel for the respondent/State though opposes the bail application but he also submits that the alleged amount has been deposited by the applicant to the Manager of the petrol pump.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature of allegations levelled against the applicant, further considering the fact that the alleged amount has already been deposited by the applicant, detention period of the applicant, conclusion of trial make take some time and without further comments on the merits of the case, I am of the opinion that it is a fit case to grant the bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with two solvent sureties for the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the said trial court, till disposal of the trial.

Sd/-

(Gautam Chourdiya)
Judge

Raju