

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6276 of 2020

- Satyabhan Singh, S/o Sudhodhan Singh, Aged About 32 Years, Occupation Government Service (Rural Agriculture Extension Officer) R/o Taangarmahari, P. S. Balrampur, District Balrampur Ramanujganj, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through P. S. Chando, District Balrampur Ramanujganj, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri A. K. Prasad, Advocate
Shri B. P. Banjare, Dy. GA

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

04/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.35/2017, registered at Police Station Chando, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 409 read with Section 34 of IPC.
2. The case of the prosecution in brief is that it was alleged that the applicant along with other co-accused persons has committed misappropriation of paddy purchased by the Adim Jati Sewa Sahkari Samiti Maryadit Society, Chando amounting to Rs.9,36,854/- while acting as the In-charge of the concerned Society during the year 2016-17.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. There is no evidence that the applicant has himself misappropriated the shortage found in the paddy. The applicant is in jail since 19.08.2020 and conclusion of trial may take some time, therefore, the applicant may kindly be enlarged on bail.
4. Learned State counsel opposes the bail application.
5. The co-accused Vinay Singh has been released on anticipatory bail by the Coordinate Bench in MCRCA No.194/2019 vide order dated 26.02.2019.
6. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case and looking to the entire evidence available on record, it appears that the co-accused Vinay Singh was the main accused in the present case and subsequently the applicant has been made the accused and the co-accused Vinay Singh has already been released on anticipatory bail by the Coordinate Bench; the applicant is in custody since 19.08.2020; charge sheet has already been filed and the conclusion of trial may take some time, this Court is inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed and it is directed that in the event of applicant's executing a personal bond for a sum of Rs.25,000/- with one surety of Rs.25,000/- to the satisfaction of the Trial Court, the applicant be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

8. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge

Nirala