

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7471 of 2020

1. Sant Vinod Shukla S/o Late Harishankar Shukla, aged about 48 Years, R/o Ward No. 10, Near New Post Office, Bijuri, District Anuppur (M.P.).

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Korea (C.G.)

---- Respondent

For Applicant	:	Shri Anil S. Pandey, Advocate.
For Respondent/State	:	Shri Vimlesh Bajpai, Govt. Advocate.
For Objector	:	Shri Venkateshwar, Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

18/11/2020

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 09/09/2020 in connection with offence under Section 409 of IPC registered at Police Station Manendragarh, District Korea Chhattisgarh under Crime No. 207/2020.
- 2) Allegation against the applicant is that he is the agent of Nabharat Press and as an agent he obtained a sum of Rs. 4,31,985/- from the customers but he did not deposit the same with the Navbharat Press. On report being lodged to the above effect, offence under Section 409 of IPC has been registered against him.
- 3) Learned counsel for the applicant submits that no offence as alleged against him has been committed by the applicant. The applicant is in jail since 09/09/2020, charge sheet has already been filed and nothing is required to be seized from the

applicant. The Trial is likely to take some time for conclusion and therefore, the applicant be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 5) Considering the facts and circumstances of the case, the fact that the incident took place during the period from 2014 to 2016, the FIR was lodged on 17/07/2019, the transaction details between the applicant, complainant and the bank receipt filed by the applicant, the applicant is in jail since 09/09/2020, charge sheet has already been filed and the offence is triable by Judicial Magistrate First Class and there is likelihood of taking of some time for conclusion of the trial, the application is allowed.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs. 50,000/-** with one surety for the like amount to the satisfaction of the concerned Trial Court, he shall 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.
- 7) 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