

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7610 of 2020**

- Mohammed Aziz S/o Late Akil Ahmad Aged About 41 Years
R/o Dharampura, Atal Bihari Ward, Jagdalpur, District
Bastar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through, Police Station Kotwali
Jagdalpur, District Bastar Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Rahim Ubwani, Adv
For Respondent-State	:-	Mr. Sameer Oraon, G.A.
For Objector	:-	Mr. Malay Shrivastava, Adv.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**16/12/2020**

1. The applicant has preferred this application filed under
Section 439 of the Cr.P.C for grant of regular bail as he is
arrested in connection with crime No.108/2020 registered in
Police Station Kotwali, Jagdalpur District- Bastar C.G. for the
offence punishable under Sections 420, 406, 467, 468, 471,
212, 34 of the I.P.C.
2. As per the prosecution case, the Mutvalli/President Sheikh
Saleem Raza of Anjuman Islamiya Committee of Jagdalpur
has allegedly embezzled whopping amount of ₹3.5 Crore

approximately.

3. As against the present applicant, allegation is that he was one of the offence bearer of the said committee and he is thus responsible and liable in assisting the main accused in committing the crime.
4. Learned counsel for the applicants submit that Sheikh Saddam Raza son of Sheikh Saleem Raza has already been granted bail in MCRC No.2485 of 2020 whereas the Treasurer of the Committee Mohd. Idarish Jakariya has been granted bail in MCRC No.4289 of 2020, therefore, the present applicant is also entitled to be released on bail.
5. Learned State counsel and learned counsel for the objector as well would vehemently oppose the prayer for grant of bail. According to them this applicant being office bearer of the committee is directly responsible in committing misappropriation, therefore, he is not entitled to be released on bail. They would also submit that case of Sheikh Saddam and Mohd. Idarish are distinguishable.
6. Having seen the case diary, it appears Mohd. Idarish was the Treasurer of the company. For an allegation constituting misappropriation, the Treasurer of the organization is one important person in whose control and trusteeship the entire fund lies thus, case of this applicant is similar, if not worse,

than the case of Mohd. Idarish. The applicant is in jail since 06.10.2020, therefore, considering all the relevant aspects of the matter, I am inclined to release the applicant on bail.

7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi