

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8302 of 2019**

- Kaushlendra Dhruv S/o Shri Shyam Lal Dhruv, Aged About 24 Years R/o. Nawagaon, Dhamtari, District- Dhamtari, Chhattisgarh. Present Address- Atal Awas Geedam, Police Station and Tahsil- Geedam, District- South Bastar Dantewada, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Geedam, District- South Bastar Dantewada, Chhattisgarh.

---- Respondent

For Applicant : Shri D. Kushwaha, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**06/01/2020**

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 49/2019, registered at Police Station – Geedam, District – South Bastar, Dantewada, Chhattisgarh, for the offence punishable under Sections 420, 409, 467, 468, 471 of Indian Penal Code.
2. First bail application of the applicant was earlier dismissed for want of prosecution vide order dated 12.09.2019 passed in MCRC No. 4185/2019.
3. As per the prosecution story, at the relevant time applicant was working as Data Entry Operator at Livelihood College, South Bastar, Dantewada. There is one bank account number i.e. 662502010003829 and cheque book issued in the name of the said institution. It is alleged that cheque numbers 016063 to 016070 i.e. total eight cheques have been disappeared from the said cheque

book. From cheque number 016063 total Rs. 9,81,616/- has been withdrawn by the applicant by misguiding the Nodal Officer and obtaining his forged signature in the cheque. The applicant has transferred the said amount in the account of his brother-in-law Sunil Banjare through RTGS in Union Bank of India. It is alleged that applicant has purchased one second hand vehicle worth Rs. 2,40,000/-, transferred Rs. 3,00,000/- in the bank account of his wife and has given Rs. 4,50,000/- to one Uttam Tandon to get a job. Thus, the applicant has committed the crime in question and on the basis of the above, offence has been registered. Applicant has been taken into custody on 28.05.2019.

4. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that *prima facie*, no case is made out against present applicant. Applicant is in custody since 28.05.2019, charge-sheet has been filed and trial is likely to take some time, therefore, applicant may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that there is sufficient evidence available on record against the present applicant, I am not inclined to release him on bail.
8. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge