

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 233 of 2021

1. Ramesh Sahu S/o Tula Ram, Aged About 26 Years, R/o Village Hirapur, Thana Pathalgaon, District Jashpur (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Police Station Jashpur, District Jashpur (C.G.).

---- Non-Applicant

For Applicant	: Mr. Sanjay Agrawal, Advocate.
For Non-Applicant/State	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

23/03/2021

- 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 26/11/2020 in connection with Crime No. 252/2020 registered at Police Station Jashpur, District Jashpur (C.G.) for the offence under Sections 420 & 409 of IPC.
- 2) Allegation against the present applicant is that while he was working on the post of Cluster Manager in Spandna Sphoorty Financial Limited Bank, Branch Jashpur, he received total sum of Rs. 2,38,467/- from the group of women towards repayment of the loan obtained by them from the said Bank but did not deposit the same with the Bank. On report being lodged to the above effect, offence has been registered against the present applicant.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He further submits that the applicant has been arrested on 26/11/2020, charge sheet has already been filed, applicant has no criminal antecedents and conclusion of trial is likely to take some time for its

disposal. Therefore, the applicant deserve to be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application. However, he submits that the applicant has no criminal antecedents.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the detention period of the applicant who is 26 years old, charge sheet has already been filed, and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of applicant executing a personal bond for a sum of **Rs. 1,00,000/-** with **two** sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - iv. he 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 Court.

-Sd/-
(Gautam Chourdiya)
Judge