

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 234 of 2021**

- Shubham Singh Dhru, S/o Ramesh Kumar Dhru, Aged About 30 Years, R/o Gram Laalpur, Post Shukli Police Station Lormi, District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sharkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri Vatan Sahu, Advocate.

For Respondent/State : Shri Priyanshu Gupta, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****04/03/2021**

1. The applicant has preferred third bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 821/2017 registered at Police Station Sharkanda, District – Bilaspur, (C.G.) for the offence punishable under Sections 409, 34 of Indian Penal Code.
2. First (MCRCA No. 239/2019) and Second (MCRCA No.1324/2020) bail applications were dismissed for want of prosecution vide order dated 7/2/2019 and 16/12/2020 respectively.
3. In the present case, on 29/12/2017 Manager of one Eagle Hunter Solution Limited lodged F.I.R. against the applicant and other co-

accused persons wherein it has been stated that they have misappropriated amount of Rs.13,78,580/- received on sale of liquor. On the basis of the said report, offence has been registered.

4. Learned Counsel appearing for the applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that applicant is working as Guard in the said liquor shop and he is not the custodian of the liquor shop. *Prima facie*, no offence is made out against applicant. It is further submitted that other co-accused persons have already been granted regular bail. Therefore, it is prayed that applicant may be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, particularly considering the fact that applicant is working as Guard in the said liquor shop and he is not the custodian of the said shop, other co-accused persons have already been granted regular bail, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
8. Accordingly, the bail application is allowed.
9. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 25,000/- with one solvent

surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and 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.

Sd/-
(Arvind Singh Chandel)
Judge