

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 502 of 2021**

- Mahesh Rajput S/o Pratapsingh Thakur, aged about 32 years, R/o village Dhavalpur, Police Station Mainpur, District Gariyaband (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : the Station House Officer, Police Station Gariyaband, District Gariyaband (C.G.)

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent.	:	Mr. Vimlesh Bajpai. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/07/2021**

1. Proceeding through video conferencing.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime Number 65/2021 registered at Police Station – Gariyaband, District Gariyaband (C.G.) for the offence punishable under Sections 420 and 409 of Indian Penal Code.
3. The prosecution story, in brief, is that the applicant, who is posted as daily wage employee in the office of Deputy Director, Udanti Sitanadi Tiger Reserve, Gariyaband, has misappropriated the Govt. fund of Rs.6,50,489/- by encashing the cheque Nos.058326, to 058350 and 058351 to 058375 in his own account without information to the office. Based on this, offence has been registered against the applicant.
4. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the crime in question. He further submits that the applicant has deposited the entire amount of Rs.6,50,489/- in the Current Account No. 33735076991 of the office. He also submits that the applicant is ready to abide by all the directions and conditions which may be imposed upon him by the Hon'ble Court while granting the anticipatory bail.

5. Counsel for the State, however, opposes the application for anticipatory bail. Learned State counsel submits that the applicant has misappropriated the fund of the office where he was working and thereby committed grave offence. Therefore, he may not be granted anticipatory bail.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the facts and circumstances of the case, nature of offence and further considering the quality of evidence against the applicant, I am not inclined to release the applicant on anticipatory bail.
8. Accordingly, the application is rejected. However, the trial Court is directed to decide the bail application of the applicant as early as possible, in accordance with law, on his surrender.

Sd/-
(Rajani Dubey)
Judge