

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2462 of 2021**

- Rajesh Kumar Gupta S/o Ashok Prasad Gupta Aged About 35 Years R/o Pasta , Police Station Pasta , District Balrampur Ramanujganj Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Pasta District Balrampur Ramanujganj Chhattisgarh

---- Respondent

For Applicant : Shri A.N. Pandey, Advocate

For Respondents/State : Shri Pawan Kesharwani, PL

Hon'ble Shri Justice Goutam Bhaduri**Order****26/07/2021**

1. Heard.
2. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 14.03.2021 in connection with Crime No.8/2021 registered at Police Station Pasta, District - Balrampur- Ramanujganj (CG) for the offence punishable under Sections 409 & 420 of Indian Penal Code.
3. As per the prosecution case, a report was made by one Lal Sai Ekka that the applicant who is one of the salesmen of the fair price shop has not distributed certain goods for the month of November & December, 2019, which was found during the investigation made by the Food Inspector. Thereby has

misappropriated the goods.

4. Learned counsel for the applicant submits that when the fair price shop was suspended it was subject of challenge before this Court and this Court in WPC No.1903 of 2020 on 20.01.2021 has set aside the order of cancellation of shop. He would further submit that the documents have already been seized and no further investigation is necessary, therefore, the applicant may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the villagers have lodged the report and on that basis the investigation was made and the applicant was found guilty.
6. Having considered the facts & circumstances of the case and the nature of evidence appears to be documentary, no further investigation is necessary and also taking into that the charge-sheet in this case has been filed and the applicant is in jail since 14.03.2021, 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 in sum of Rs.25,000/- with one surety in the like sum 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/-

Goutam Bhaduri
Judge

Ashu