

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8594 of 2020**

- Kumar Dutt Dubey, S/o Late Shri Ramdutt Dubey, Aged About 59 Years, R/o Guli No. 01, Sector 03, Professor Colony, Police Station- Purani Basti Raipur, District- Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station Bhakhara, District- Dhamtari Chhattisgarh.

---- Respondent

For Applicant	: Mr. Kashif Shakeel, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.03.2021**

1. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 89/2020 registered at Police Station- Bhakhara, District- Dhamtari, (C.G.) for the offence punishable under Sections 409, 420, 467, 468, 471, 34 of IPC.
2. The prosecution story, in brief is that, it is alleged that between the period starting from 01.07.2007 up till 27.07.2012, the accused persons namely Manager- Kumar Dutt, Cashier- Rajkumar Sahu, Peon- Ramkishore Dhruw & Jhaduram Sahu manipulated in the accounts of the bank and have made embezzlement of total amount of Rs.83,24,543/-. Thereafter, offence has been registered against the present applicant and other co-accused persons.
3. 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 charge-sheet has been filed

and there has been embezzlement of funds due to mismatch in bank accounts. He next added that the applicant is aged about 60 years and having several medical illness. He further submits that other co-accused person has already been granted bail in MCRC No. 7004/2020 by co-ordinate bench. Applicant is in jail since 25.09.2020 there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that charge-sheet has been filed and other co-accused person has already been granted bail in MCRC No. 7004/2020 by co-ordinate bench and the applicant is in jail since 25.09.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 1,00,000/-, with one local 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 to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**