IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 585 of 2024

BETWEEN:-

SATISH KUMAR S/O MANGILAL, AGED ABOUT 31 YEARS, OCCUPATION: LABOUR R/O VILLAGE KHAJURIYA KASAM TEHSIL ASHTA DISTRICT SEHORE (MADHYA PRADESH)

.....APPLICANT

(BY SHRI ASHISH SINHA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION BILKISHANGANJ DISTRICT SEHORE (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI PRADEEP GUPTA - GOVERNMENT ADVOCATE)

This application coming on for admission this day, the court passed the following:

ORDER

This is first application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail relating to FIR No.110/2023, dated 11.05.2023 registered at Police Station-Bilkishganj, District-Sehore (M.P.) for commission of offence punishable under Sections 420, 406, 34 of IPC. Applicant is in detention since 15.12.2023.

2. As per the prosecution story, applicant who was working as Field Officer in Bharat Financial Inclusion Limited Branch Sehore in collusion with

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co-accused Gulista embezzled an amount of Rs.3,70,000/- from the women group which had deposited the amount. FIR was registered. After investigation, charge-sheet has been filed.

3 . Learned counsel for the applicant has submitted that applicant is in detention since 15.12.2023. He has not committed any offence. He is innocent. He has been falsely implicated. He has no criminal background. The trial of the case will take considerable time. Therefore, it is prayed that the applicant may be released on bail pending the trial.

4 . On the other hand, learned counsel for the State has opposed the prayer for grant of bail to the applicant.

5 . Offences are triable by Judicial Magistrate First Class. After investigation, charge-sheet has already been filed. Applicant has no criminal background. Therefore, having taken into consideration all the facts and circumstances of the case including the fact that conclusion of trial will take considerable time, but without expressing anything on the merits of the case, I am of the view that it is a case in which further pre-trial detention of the applicant is not warranted. Consequently, this bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed.**

6 . It is directed that **applicant - Satish Kumar** be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

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7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL)
JUDGE

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