

**(2018) 09 CHH CK 0363**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 5455 Of 2018

Rakesh Kumar Sinha

APPELLANT

Vs

State Of Chhattisgarh Police  
Station Janakpur

RESPONDENT

---

**Date of Decision:** Sept. 25, 2018

**Acts Referred:**

- Indian Penal Code, 1860 - Section 409, 420, 466, 468, 471
- Code Of Criminal Procedure, 1973 - Section 439

**Hon'ble Judges:** Goutam Bhaduri, J

**Bench:** Single Bench

**Advocate:** Manoj Paranjpe, Sangharsh Pandey

**Final Decision:** Allowed

---

**Judgement**

Goutam Bhaduri, J

1. 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 12.06.2018 in connection with Crime No. 55/2017 registered at Police Station Janakpur, Korea, District Korea (CG) for the offence

punishable under Sections 409, 420, 466, 468, 471 IPC.

2. As per the prosecution case, the present applicant who was working as Sub Postmaster at Post Office Janakpur has made fake withdrawal from

the different accounts to the extent of Rs.1,16,82,332/- and it revealed when the original account holders went to withdraw the amount, the fact came

to the fore. Thereby the offence has been registered.

3. Learned counsel for the applicant submits that there is no direct evidence to the fact that the applicant is involved in the crime and the signatures of the applicant and the account holders have been sent to the handwriting expert and the report has not yet received, however, the charge-sheet has been filed. He further submits that the applicant is in jail since 12.06.2018, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and submits that the statements of the account holders would show that the applicant has withdrawn the amount by forged signatures.

5. Considering the facts & circumstances and the case-diary and further taking into that the charge-sheet in this case has been filed and the applicant is in jail since 12.06.2018, I am inclined to release the applicant on bail.

6. 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.