

(2018) 07 CHH CK 0224

Chhattisgarh High Court**Case No:** Miscellaneous Criminal Case (MCRC) No. 3247 Of 2018

Devsingh Parmar

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: July 16, 2018**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 420

Hon'ble Judges: Sanjay K. Agrawal, J**Bench:** Single Bench**Advocate:** Pallav Mishra, R. N. Pusty**Final Decision:** Allowed

Judgement

Sanjay K. Agrawal, J

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has

been arrested in connection with Crime No.109/2017, registered at Police Station-Lormi, District Mungeli (C.G.) for the offence punishable under

Section 420 of Indian Penal Code.

2. Case of the prosecution, in brief, is that the applicant withdrew amount of Rs. 12,500/- from the bank account of the complainant while working as

in-charge of the Kyoske Centre of a bank in a village and thereby committed an offence under the aforesaid Section.

3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in crime in question and has not committed any

offence. He would further submit that the amount has already been deposited by the applicant and he is in jail since 11.08.2017, charge-sheet has

already been filed, and no useful purpose will be served in detaining him in jail, therefore, he may be released on regular bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the

present applicant; and retaliation, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to

the satisfaction of the concerned trial Court, for his appearance as and when directed.