

**(2018) 06 CHH CK 0153**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 3105 Of 2018

Chandrakant Sahu

APPELLANT

Vs

State of Chhattisgarh

RESPONDENT

**Date of Decision:** June 26, 2018

**Acts Referred:**

- Indian Penal Code, 1860 - Section 381, 467, 468
- Code Of Criminal Procedure, 1973 - Section 439

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

**Bench:** Single Bench

**Advocate:** D. Kushwaha, Wasim Miyan

**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 17.01.2018 in connection with Crime No.07/2018 registered at Police Station Rajim, Distt. Gariyaband (CG) for the offence punishable under Sections 381, 467 & 468 IPC.

2. As per the prosecution case, a report was made by one Anil Sundarani, who was running a rice mill that the present applicant, who was working as an accountant in the rice mill since September 2017 stole the cheque book and letter pad and thereafter deposited the cheque to withdraw rupees 20 Lakhs from the rice mill. The same having been enquired by the Bank, the payment was stopped and thereafter it was revealed that the present

applicant has stolen the cheque and tried to withdraw the amount. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has not stolen the cheque and the false allegation is attributed against the applicant,

therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant Of bail.

5. Perused the case-diary document. Considering the same and also taking into that the charge-sheet has been filed in this case and the offences are

triable by JMFC and the applicant is in jail since 16.01.2018, 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.