
(2018) 06 CHH CK 0157

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 3711 Of 2018

Mahendra Das Vaishnav

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: June 26, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 406, 408
- Code Of Criminal Procedure, 1973 - Section 439

Hon'ble Judges: Sharad Kumar Gupta, J

Bench: Single Bench

Advocate: Sandeep Shrivastava, Dheeraj Wankhede

Final Decision: Dismissed

Judgement

Sharad Kumar Gupta, J

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending

before any other court.

2. The applicant has been arrested on 24-2-2018 in connection with Crime No. 87/2018 registered in police station Kanker, Distt. North Bastar (CG)

for offence punishable under Sections 406 and 408 of the IPC.

3. Prosecution story in brief is that Logicash Solution Limited was assigned to get cash from bank and load the same in the ATM machines. For this

purpose, the company had authorized the applicant. The applicant received cash from the bank but did not load an amount of Rs. 22,01,200/- in the

ATM machines.

4. Counsel for the applicant argued that the applicant is innocent and falsely implicated. The offence is triable by the JMFC. He is in jail since 24-2-2018. Hence he may be released on bail.
5. On the other hand, the Govt. Advocate appearing for the State opposed the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, huge amount involved in the case and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
7. Consequently, the MCRC is dismissed.