

THE HIGH COURT OF MADHYA PRADESH
BENCH AT INDORE
(S.B.: HON'BLE Mr. JUSTICE VIVEK RUSIA)

M.Cr.C. No.45518/2021

Applicant:- Anil Ahuja S/o Late Shri Govindram Ahuja,
Age-42 years, Occupation-Service
R/o- D-205, Leads Enclave, Chotta Bangarda,
District-Indore(M.P.)

Versus

Respondent:- State of M.P. through P.S. Aerodrome,
District- Indore (M.P.)

For Applicant (s)	:	Mr. Durgesh Sharma,
For Respondent (s)	:	Mr. Mukesh Sharma, P.L.

ORDER

Date: 16.09.2021:

This is first application filed under section 439 Cr.P.C, 1973 by the applicant seeking bail in connection with Crime No.353/2020 registered at police station-Aerodrome, District- Indore (M.P.) for the offence punishable under sections 420, 406, 409 and 34 of the Indian Penal Code.

As per prosecution case, FIR has been lodged by depositors alleging that this applicant being the agent collected the money and deposited in Sanjivini Credit Cooperative Society and now they are not returning the amount. The complainants have produced the receipts and the note book. The applicant was arrested and from his possession the counter part of the notebook were recovered.

Learned counsel for the applicant submits that the applicant was employed in the Sanjivini Credit Cooperative Society and if any misappropriation has been done that has been done by the owner Bhupendra Teli and manager, Devendra Mishra who are in custody now. The applicant is not even received his salary. In such premises learned counsel prays for grant of bail to the applicant.

Learned panel lawyer for the respondent opposes the bail application and submits that this applicant was only an agent in the Sanjivini Credit Cooperative Society. The owner Bhupendra Teli has been

arrested and now he is in custody.

In view of the above considering the facts and circumstances, without commenting on the merits of the case, the application is allowed. The **applicant-Anil Ahuja** S/o Late Shri Govindram Ahuja, is directed to be released on bail on his furnishing a personal bond in the sum of **Rs.30,000/- (Rupees Thirty Thousand)** with one solvent surety of 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 Court concerned during trial and shall also abide by the conditions enumerated under section 437(3) Cr.P.C.

Before releasing the applicant from the custody the jail authorities are directed to medically examine him in order to rule out the possibility of COVID-19 infections and shall comply with the direction given by the Hon'ble Apex Court in Writ Petition No. 1/2020.

Certified copy as per rules.

(**VIVEK RUSIA**)
JUDGE

Ajit