

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3075 OF 2015**

1. Ramcharan Nayak S/o Bhim Singh Nayak, 51 years Samiti Prabandak, Prathmik Krishi Sakh Samiti & Lamps Adim Jati Seva Sahakari Samiti Maryadit Bamhani Tah. Jagdalpur R/o Gandhi Nagar Ward Jagdalpur Civil & Rev. Distt. Bastar (C.G.)
2. Keshav Prasad Dewangan S/o Bhagirathi Dewangan, 50 years, Data Operator, Prathmik Krishi Sakh Samiti & Lamps Adim Jati Seva Sahakari Samiti Maryadit Bamhani Tah. Jagdalpur Civil & Rev. Distt. Bastar (C.G.).

---Applicants**Versus**

State of Chhattisgarh, Through : P.S. Nagarnar, Civil & Rev. Distt. Bastar (C.G.)

---Non-applicant

For Applicants	:	Mr. Keshav Dewangan, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/07/2015**

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 applicants who have been arrested in connection with Crime No. 185/2014, registered at Police Station Nagarnar, Distt. Bastar (C.G.), for the offences punishable under Sections 409, 420, 471, 120-B, R/W Sec.34 of I.P.C.
2. Case of the prosecution, in brief, is that, applicant No. 1 being Samiti Prabandak, Prathmik Krishi Sakh Samiti Bamhani and applicant No. 2 being Data Operator of the said Samiti purchased paddy from the farmers exceeding the limit fixed by Government and applicant No. 2 made forged

entry in the computer and thereby committed offence.

3. Learned counsel for the applicants would submit that they have not committed any offence and they have been falsely implicated in offence in question. He would further submit that applicants have purchased paddy as per limit fixed by the Government. He would further submit that no custodial interrogation is required. He would further submit that co-accused persons have already been enlarged on regular bail vide order dated 17/06/2015 passed in M.Cr.C. No. 2795/2015. He would lastly submit that charge sheet has been filed and applicants are in jail since 19/05/2015 therefore, they may be released on regular bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants in offence in question; no custodial interrogation is required and the fact that offence is said to have committed on 31/03/2014 whereas, FIR has been lodged on 20/08/2014, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Ramcharan Nayak and Keshav Prasad Dewangan, shall be released on bail on their furnishing a

personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

Tiwari