

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 853 of 2015

Smt. Sati Ansuiya Patle S/o Shivshanker Patle Aged About 34 Years Caste - Satnami,
R/o Beltukri, Thana Baloda, District - Janjgir-Champa.

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station Baloda, District - Janjgir-Champa.

---- Respondent

For applicant	:	Shri Parag Kotecha, Advocate.
For Respondent /State	:	Shri Satish Gupta, Government Advocate.

Order On Board

08/09/2015

Heard.

1. The applicant is apprehending her arrest in connection with Crime No.216/2014 registered at Police Station- Baloda, Distt. Janjgir Champa for alleged commission of offence under Section 409, 420, 34 of IPC.
2. Case of the prosecution is that during the period, the applicant was posted as Sarpanch, huge amount of public fund more than Rs.5 lacs was withdrawn without there being any work done, certificates prepared with regard to work executed, scrutiny of bill and payment. It is alleged that cash amount was withdrawn through her husband by issuing cheque in the name of her husband and in this manner, public fund has been misappropriated.
3. Learned counsel for the applicant submits that the allegations are baseless. Earlier, on the same set of allegation, show cause notice was issued for removal from the office and order was passed by the Sub-Divisional Officer which was set aside by the Collector holding that proper opportunity has not been afforded. The report prepared against the applicant are only one sided picture and if liberty is given, the applicant would satisfy the authority that each

and every procedure was followed.

4. On the other hand, learned counsel for the State opposes prayer and submits that the three members Committee of official was constituted which held an enquiry and found that in many cases, work was not done, labours have stated that no payment was made and forged muster roll was prepared and more than Rs.3 lacs were withdrawn from public fund of Panchayat by issuing a cheque in the name of her own husband.

5. Taking into consideration the nature of allegation, I am not inclined to grant anticipatory bail to the applicant.

6. The bail application is rejected.

Sd/-

Manindra Mohan Shrivastava

J U D G E