

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4527 of 2015**

Hridayram Sidar S/o Bhagwatiya Sidar (Bhagwat Prasad), aged about 43 years, Occu-Agriculturist, R/o Village Kotasura, Thana-Pusaure, Civil and Revenue District Raigarh, Distt.Raigarh (CG)

---Applicant

Versus

State of Chhattisgarh, Through : Police Thana – Pusaure, Distt.Raigarh (CG)

---Non-applicant

For Applicant	:	Mr.Sanjay Agrawal, Advocate
For Non-applicant	:	Mr. Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/09/2015**

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 applicant who has been arrested in connection with Crime No.23/2015, registered at Police Station-Pusaure, Distt.Raigarh (CG), for the offence punishable under Section 420/34 of the IPC.

2. Case of the prosecution, in brief, is that the present applicant is Sarpanch and allegation against him is that fair price shop was handed over to Gram Panchayat for running and later it was found that essential commodities were siphoned away in the name of dead persons.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that other co-accused persons namely Basant Yadaw and Bhawani Shankar Yadaw have been admitted to bail by this Court vide orders dated 17.6.2015 & 27.7.2015 in M.Cr.C.Nos.2648 and 3033 of 2015 and case of the present applicant is similar to that of the co-accused

who have been enlarged on bail, therefore, he is also entitled to be released on bail.

4. On the other hand, learned counsel for the State would affirm the same.

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 applicant, the fact that bail was granted to co-accused Basant Yadaw and Bhawani Shankar Yadaw and pre-trial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-