

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6206 of 2015

- Suresh Kumar Jain, S/o Tal Chand Jain, Aged About 54 Years, R/o Village Gidhwa, Janta Colony, Lakholi, Post Uparwah, Rajnandgaon (Chhattisgarh), (Wrongly Mentioned As Saresh Jain Permanent In Order Sheets Add. - Village - Gidhva Post Uparwah, Thana - Ghumka Tah & Distt- Rajnandgaon (Chhattisgarh) --- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station Ghumka, District Rajnandgaon (Chhattisgarh) --- **Respondent**

For the applicant	:	Mr. Anup Majumdar, Advocate
For the Respondent	:	Mr. Omprakash Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 14/2013 registered at P.S. Ghumka, Distt. Rajnandgaon (C.G) for the offence punishable under Section 409, 467, 468 & 471, 34 IPC.
2. Prosecution case in brief is that the applicant was working as an Accountant as also In-Charge of Farmers Service Cooperative Society Ltd., Ghumka, which collects the paddy and for the period between from 11.1.2013 and 31.01.2013, a demand of 1,20,000 gunni bags was made and the total gunni bags could not be supplied as against the paddy procured but in the computer only 468 names of farmers were uploaded whereas according to the prosecution, it should have been 832. Further it is alleged that names of certain farmers were recorded though they were dead and their signatures were also procured and cheques were issued for collection of paddy from them.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He relied on a Letter dated 30.11.2012 (Annexure A-2) as also a certificate dated 02.09.2013 (Annexure A-3) issued by the Krishak Sewa Sahkari Samiti Maryadit, Ghumka and submits that though he was working in the said Society but he was posted in the office and not in the collection center of the Society, therefore, no such allegations can be attributed to him. He further submits that the other co-accused Kamal Yadu and Deepak Verma have been enlarged on bail by the coordinate Bench in M.Cr.C.No.1564 & 1568 of 2015 & M.Cr.C. No. 682/2015 and being in parity, the present applicant may also be granted bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to nature of allegations and the fact that the other co-accused have been enlarged on bail by the coordinate Bench of this court and further taking into fact that the evidence is going on and the applicant is in jail since 04.10.2015, I am inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**