

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 586 of 2015**

- C.P. Singroul, s/o. Late A.R. Singroul, aged 61 years, occupation-Service, presently posted as Assistant Project Officer, Zila Panchayat, Bilaspur, r/o. Near Abhiyanta Bhawan, Magarpara, Bilaspur (CG).

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station Houyse Officer, Police Station Kunkuri, District Jashpur (CG)..

---- Respondent

For Applicant	:	Mr. Rajeev Shrivastava, Advocate.
For Respondent/State	:	Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice I.S. Uboweja**Order on Board****22/7/2015**

1. The applicant has preferred the instant bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 82 of 2015, registered in Police Station Kunkuri, District Jashpur (CG), for offence punishable under Sections 420, 467, 468, 471, 409, 120-B of the IPC.
2. The case of the prosecution in brief, is that the applicant was working as Chief Executive Officer, Janpad Panchayat Kunkuri from August 2008. It is alleged that during his posting as CEO, in the year 2011-2012 work was done under the Mahatma Gandhi National Rural Employment Guaranteed Scheme (for short, MNREGA"). During Jan Dharan Programme of Collector, on 24-3-2015 Sarpanch of Gram Panchayat, Kunjara lodged a complaint against the applicant with regard to preparation of forged muster roll. On the complaint, Collector directed for an inquiry on the basis of which an inquiry was conducted by the inquiry committee in which there is no finding against the present applicant. On the basis of inquiry report,

Police Station Kunkuri District Jashpur registered the FIR on the basis of written report of the CEO, offence under Sections 420, 467, 468, 471, 409, 120-B of the IPC against the applicant and some other person..

3. Mr. Rajeev Shrivastava, learned counsel appearing for the applicant would submit that applicant has not committed any offence and he has been falsely implicated in the case and there is no single piece of evidence against him to connect the applicant with the crime in question. He would further submit that the applicant was not named in the inquiry report and there is no involvement of the present applicant in preparing the forged muster roll and there was inordinate delay in lodging the first information report and as such he has not committed any offence, therefore, he may be extended the benefit of anticipatory bail.
4. On the other hand, learned counsel for the State opposing the prayer for grant of anticipatory bail submits that there was clear involvement of the applicant in preparing forged muster roll and misappropriating the granting funds of the Government. He further submits that he was involved in conspiring with the other co-accused persons and embezzled the amount and thereby committed the aforesaid offence therefore, he may not be given the benefit of anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case and the documents on record which shows that there is no involvement of the present applicant in crime in question, there is no specific allegation against the present applicant in preparation of forged muster roll and further considering the extent of delay in lodging the first information report, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be extended the benefit of anticipatory bail.

7. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the Officer arresting him and he shall abide by all the following terms and conditions:

- (i) that the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
- (ii) that the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(I.S. UBOWEJA)
JUDGE