

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 1149 of 2015**

Ashok Prasad Singh S/o Late Dilanram Aged About 35  
Years Occupation Service, Secretary, Gram Panchayat,  
Kundukela, R/o Village Kundukela, P.S. Narayanpur, Tah.  
Kunkuri, Civil & Rev. Distt. Jashpur, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Station House Officer, P.S.  
Narayanpur, Distt. Jashpur, Chhattisgarh.

**---- Respondent**

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|---------------|---|------------------------------------|
| For Applicant | : | Shri Vivek Tripathi, Advocate.     |
| For State     | : | Shri Neeraj Kumar Sharma, Dy. G.A. |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**20/11/2015**

Heard.

1. This is second application for grant of anticipatory bail. First application was dismissed as withdrawn. The second application has been filed by learned counsel for the applicant submitting that later on, another accused namely Chaitram Pahadi has been granted anticipatory bail. It is submitted that the applicants have not committed any offence. The funds made available for construction of road was utilized for construction at some other place, therefore, it may be a mere irregularity but no criminality.

2. On the other hand, learned counsel for the State opposes prayer and submits that the applicant at the relevant time was working as Secretary of Gram Panchayat. A forged muster role

was prepared showing work done from main road to the house of Ramprasad and on that basis, records were prepared and funds misappropriated. Upon spot inspection, no road was found constructed. As far as co-accused Chaitram Pahadi is concerned, he was the Chief Executive Officer and not the officer on spot.

3. Considering the submissions, taking into consideration the role alleged to be played by the applicant and the report of no construction of road was found at the place in respect of which muster role was prepared, work shown to have been done and payments made, no case for grant of anticipatory bail is made out and the bail application is rejected.

Sd/-

**Manindra Mohan Shrivastava**

**J U D G E**