

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6680 of 2015

Ajay Yadav, S/o. Shri Jageshwar Yadav, Aged About 29 Years, R/o. Rajiv Nagar, Basantpur, Ward No. 42, Police Station-Basantpur, Tahsil & District Rajnandgaon (Chhattisgarh)

----Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station- City Kotwali, Rajnandgaon (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Shivang Dubey, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.86/2015, registered at Police Station– City Kotwali, Rajnandgaon District Rajnandgaon (C.G.) for the offence punishable under Sections 409, 420, 467, 468, 471/ 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant, who was the owner of the Patwari Caterers had supplied forged bill to the Block Education Officer, Rajnandgaon, who embezzled the government fund by not adhering to the Bhandar Kraya Rules and different notification, which was issued by the State. As per the prosecution, forged bills

were submitted and payments were made to the Sankul Centre and on enquiry, the Collector had recommended for lodging of FIR and subsequently, FIR has been lodged.

3. Learned counsel for the applicant would submit that according to the prosecution itself, the entire allegation was on one Dilip Rangari, who was posted at Block Resource Coordinator, Rajeev Gandhi Shiksha Mission and the Collector after detailed enquiry, recommended for registration of FIR against Dilip Rangari that he has embezzled the fund. It is further contended that the similarly placed co-accused namely Manish Meshram has been enlarged on bail by this Court, as he was also the owner of one Kiraya Bhandar.
4. On the other hand, learned counsel for the State opposes the bail application and after verification he do not oppose the fact that the similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. The charge sheet in this case has been filed. Perusal of the charge sheet would show that primary allegations are against one Dilip Rangari. Taking into fact that the evidence available are documentary in nature and considering the fact that the charge sheet has been filed and the applicant is in jail since 15.10.2015 and further taking into consideration that the similarly placed co-accused has been enlarged on bail, I am inclined to release the applicant on 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/-
(Goutam Bhaduri)
Judge

ashok