

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 931 of 2015

Ku. Saroj Panna D/o Paskal Panna Aged About 24 Years Caste Uraon Occupation
Nagar Sainik R/o Village Thethetangar Police Station And Tahsil Kunkuri Civil And Rev.
Distt. Jashpur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kunkuri, Distt. Jashpur Chhattisgarh.

---- Respondent

For Applicant	:	Shri A.N. Pandey, Advocate
For Respondent/State	:	Shri Manish Nigam, Panel Lawyer

Order On Board

22/09/2015

Heard.

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending her arrest in connection with Crime No. 82/2015, registered in Police Station- Kunkuri, District- Jashpur, for alleged commission of offence under Sections 420, 409, 467, 468, 471, 409 and 120-B of the IPC.
2. Case of the prosecution, in brief, is that without getting the labours deployed under the Mahatma Gandhi National Rural Employment Guarantee Scheme, the work was got done by mechanical process by the Contractor and, thereafter, forged muster-roll was prepared by the applicant, Contractor and Mate and huge amount of public funds was withdrawn and distributed amongst themselves.
3. Learned counsel for the applicant submits that as far as applicant is concerned, she is not directly involved in the commission of offence. She was only working as Employment Assistant and bonafide believing that work was got done through Contractor, she certified payments.
4. On the other hand, learned counsel for the State submits that as per the inquiry report, statements of the witnesses, applicant is one of the main accused who was acting in close concert with the concerned Contractor and Mate. The work was got done by the contractor through mechanical process and thereafter the applicant, Mate and the Contractor prepared a forged muster-roll and withdrew huge amount of public fund

which has been stated by more than one witnesses.

5. Taking into consideration the submissions made by learned counsel for the parties, taking into consideration the aforesaid allegation, I am not inclined grant benefit of anticipatory bail to the applicant.
6. At this stage, learned counsel for the applicant submits that the applicant is willing to cooperate with the investigation and she is not likely to abscond, therefore, the Court below may be directed to consider regular bail application of the applicant on the same date.
7. It is directed that if the applicant moves regular bail application before the Court below, the same shall be considered and decided if possible on the same date or in any case within 3 days.
8. With the aforesaid observation/direction, the application is rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge