

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5203 of 2015**

Ghanshyam Vidhwani son of Heeranand Vidhwani, aged about 38 years,
resident of 8/8, Rama Valley Colony, High Court Road, Bilaspur, District-
Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh Through: the District Magistrate, District-Janjgir-
Champa (CG)

---Non-applicant**M.Cr.C.No.5204 of 2015**

Ghanshyam Vidhwani son of Shrinand Vidhwani, aged about 38 years,
resident of 198, Rama Valley Colony, High Court Road, Bilaspur, District-
Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh Through: the Incharge, C.S.E.B. Police Chowki,
P.S. Kotwali, Korba, District-Korba (CG)

---Non-applicant**M.Cr.C.No.5206 of 2015**

Ghanshyam Vidhwani son of Shrinand Vidhwani, aged about 38 years,
resident of 198, Rama Valley Colony, High Court Road, Bilaspur, District-
Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh Through: the Incharge, C.S.E.B. Police Chowki,
P.S. Kotwali, Korba, District-Korba (CG)

---Non-applicant**And****M.Cr.C.No.5239 of 2015**

Ghanshyam Vidhwani son of Heeranand Vidhwani, aged about 40 years,
resident of B-37, S.S.B.M. Colony, Korba, District-Korba (CG)

---Applicant**Versus**

State of Chhattisgarh Through: the Station House Officer, Jashpur,
District-Jashpur (CG)

---Non-applicant

For Applicant	:	Ms Meenu Banarjee, Advocate in all cases.
For Non-applicant	:	Mr. Neeraj Jain, Government Advocate & Mr. Anupam Dubey, Deputy Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

06/10/2015

1. Since the aforesaid four applications are arising out of the same offence, they are being disposed of by this common order.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime Nos.366/2014, 648/2014, 619/2014 and 269/2014, registered at Police Station-Janjgir, District Janjgir-Champa, Police Station-Kotwali, District-Korba, Police Station-Kotwali, District-Korba and Police Station-Jashpur, District Jashpur respectively, for the offence punishable under Sections 420, 467, 468 and 471/34 of the IPC.

3. Case of the prosecution, in brief, is that the applicant along with six other co-accused persons while working as contractor in CSEDCL submitted forged bills and withdrawn an amount of Rs.4,48,334/- in Crime No.269/2014, Rs.23,65,200/- in Crime No.648/2014 and Rs.1,04,394,469/- total amount of Rs.1,32,53,003/- in the aforesaid cases and thereby committed the aforesaid offence.

4. Referring the statements of Navin Singh Parihar, Mohan Mohadikar, Shashank Shrivastava, Chitrakumar Khande, Mahesh Shriwas, Ms Minu Banerjee, learned counsel appearing for the applicant would submit that bills submitted by the applicants have been passed in accordance with law following the rules and regulations framed by the government in this regard. In fact, the applicant has not committed any offence and he has falsely been implicated in crime in question. She would further submit that the applicant is in jail since

25.7.2015 and charge-sheet has already filed and therefore, he may be enlarged on bail.

5. On the other hand, Mr.Neeraj Jain & Mr.Anupam Dubey, learned counsel appearing for the State would oppose the bail applications and submit that the applicant by using user ID and password and by fabricating signature withdrawn Rs.1,32,53,003/- and cheated the governmental company.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; the manner in which the applicant in collusion with other co-accused persons without executing the work in question withdrawn huge public money from the governmental company and thereby cheated the said company and the material collected by the prosecution and available in case diary, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are rejected.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-