

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5291 of 2015

Smt. Geeta Singh, W/o Roshan Singh, aged about 28 years, caste Gond, (Ex-Sarpanch), R/o village Darhora, Police Station & Tahsil Pratappur, District Surajpur (Chhattisgarh)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Chandoura, District Surajpur (C.G.)

---- Non-applicant

ANDMisc. Criminal Case No.5294 of 2015

Lalsai, S/o Bodhwa, aged about 58 years, caste Gond, (Sarpanch), R/o village Darhora, Police Station & Tahsil Pratappur, District Surajpur (Chhattisgarh)

---- Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station Chandoura, District Surajpur (C.G.)

---- Non-applicant

For Applicants:	Mr. V.K. Pandey, Advocate.
For Non-applicant:	Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/10/2015

1. Since both the applications are arising out of the same crime number, they are being disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.65/2015, registered at Police Station Chandoura, Distt. Surajpur, for the offence punishable under Sections 420 read with Section 34 of the IPC, 3 & 7 of the Essential Commodities Act.

3. Case of the prosecution, in brief, is that applicant Smt. Geeta Singh, being the Sarpanch of Gram Panchayat Darhora, failed to supervise the Government Fair Price Shop and by which another applicant Lalsai committed irregularity in distribution of essential commodities from July, 2014 to September, 2014 and did not distribute food articles to the beneficiaries and embezzlement the amount.
4. Learned counsel for the applicants submit that the applicants have not committed any offence and they have been falsely implicated in the case. Applicant Smt. Geeta Singh is Ex-Sarpanch whereas applicant Lalsai is Salesman and FIR has been lodged after one year. Applicant Smt. Geeta Singh had already demitted the office. False case has been registered against the applicants. The applicants are in jail since 8-9-2015 and charge-sheet is yet to be filed.
5. On the other hand, learned State counsel opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants as applicant Smt. Geeta Singh – Ex-Sarpanch being a woman had already demitted the office, pretrial detention of the applicants and extent of delay in lodging the FIR, I am of the opinion that the applicants deserve to be released on regular bail. Accordingly, the applications are allowed.
8. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge