

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5009 of 2016

1. Parsu Ram Nayak, S/o. Lamra Ram Nayak, aged 57 years, Caste-Routiya, R/o. Village-Kudukela, Police Station – Narayanpur, Tahsil-Kunkuri, District – Jashpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Kunkuri, District – Jashpur (C.G.)

---- Respondent

For Applicant	: Mr. Malay Shrivastava, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/08/2016

1. This is the first bail application 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 No.82/2015, registered at Police Station – Kunkuri, District – Jashpur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 409 and 120-B of I.P.C.
2. Case of the prosecution, in brief, is that in the year 2011-2012 work was done under the Mahatma Gandhi National Rural Employment Guaranteed Scheme by Gram Panchayat – Thethetangar, at that time Hiranman Xalxo was Sarpanch of said Gram Panchayat and the applicant was posted as S.D.O. (Res.) and on the basis of forged muster-roll, a sum of Rs.3,34,633/- was withdrawn by the accused persons.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that similarly placed co-accused in this case has been enlarged on bail by this Court vide order dated 24.08.2016, passed in M.Cr.C.No.4902/2016, therefore, the counsel prays that the applicant may also be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he do not dispute the fact that similarly placed co-accused in this case has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case and further considering the fact that similarly placed co-accused in this case has been enlarged on bail by the this Court vide order dated 24.08.2016, passed in M.Cr.C.No.4902/2016, 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