

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5532 of 2016

- Rajaram Nishad S/O Kartikram Nishad Aged About 54 Years R/O Village Malaud, Police Station Dharsinva, District Raipur Chhattisgarh At Present Samiti Prabandhak, Prathmik Krishi Sakh, Sahkari Samiti, Arjuni, Police Station Bhatapara (Gramin) District Balodabazar - Bhatapara Chhattisgarh

---- **Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara (Gramin) District Balodabazar - Bhatapara Chhattisgarh

---- **Respondent**

For Applicant : Mr. Y.C. Sharma, Advocate

For respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19-09-2016

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 on 2-8-2016 in connection with Crime No. 173 of 2016, registered at Police Station Bhatapara (Gramin) District Balodabazar-Bhatapara (CG) for the offence punishable under Sections 420, 34 of the IPC.
2. As per the prosecution case, one Pradeep Verma personified himself to be Jagganath Dhruv and opened account in the Bank of Baroda and thereafter Cooperative Society purchased paddy 277.60 quintal for Rs.3,91,416/- and cheque was prepared in the name of Jagganath Dhruv and it was collected by Pradeep Verma who personified himself in the name of Jagganath Dhruv. Applicant was Manager of the Cooperative Society, Arjuni and applicant who used to prepare cheque in connivance with other co-accused Pradeep

Verma, has committed the offence and thereby the aforesaid offence has been committed.

3. Learned counsel for the applicant submits that the case of the present applicant is similar to the case of other co-accused persons namely Manohar Lal Sen and Smt. Rameshwari Verma, who have been granted anticipatory bail vide order dated 12-8-2016 passed in M.Cr.C.(A) Nos. 726 of 2016 & 740. The main allegations have been attributed to Pradeep Verma. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 2-8-2016 and no further investigation is necessary, therefore, he may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the bail orders granted to Manohar Lal Sen who was President of the Co-operative Society and Smt. Rameshwari Verma, who was Assistant Clerk.
7. Taking into consideration the facts and circumstances of the case, considering the fact that the account was opened in the name of Jaggannath Dhruv, nature of allegations leveled against the applicant and the applicant who was Manager of the Co-operative Society was discharging his nature of job and also the fact that charge-sheet has been filed, the applicant is in jail since 2-8-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju