

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3898 of 2016

Vijendra Kumar Rogade, S/o Ratiram Rogade, Aged About 33
Years, R/o 34/2, Risali Sector, P.S. Newai, District - Durg
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Throguh The District Magistrate, Durg
Chhattisgarh

---- Respondent

For applicant - Shri Surendra Kumar Dewangan, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/07/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.145/2016 registered in Police Station Bhilai Nagar, District Durg (C.G.) for offence punishable under sections 420, 468, 471, 120, 201, 34 of IPC.
2. As per the prosecution case, applicant used to file return for different employees of the BSP and in pursuant thereto different return were filed with the wrong particulars. Subsequently, it happened that the amount of Rs.3,21,31,650/- was illegally refunded as such caused loss to the government ex-chequer and the applicant received amount in lieu thereof from the different assessee.
3. Learned counsel for the applicant submits that because of the mis-calculation said return has been filed, therefore no malafide on the part of the applicant and the entire papers are on record, no further investigation is necessary, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and submits that still matter is being investigated and nexus and chain has to be established, therefore at this stage it would not be proper if applicant is enlarged on bail he may tamper the evidence.

5. Considering the facts and circumstances of the case, on the basis of filing of wrong return amount of Rs.3,21,31,650/- was illegally refunded and also taking into fact that the matter is still under investigation, this court is not inclined to release the applicant on bail.

6. Accordingly, the bail application is dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE