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HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4902 of 2016

1. Duryodhan Ram Yadav, S/o. Shri Shudro Ram Yadav, aged about 47 years, By Caste- Mahkul, R/o. Village- Ranikombo, P.S. & Tahsil – Kunkuri, Civil and Revenue District – Jashpur (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/08/2016

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said Gram Panchayat and the applicant was Secretary and on the basis of forged muster-roll, a sum of Rs.3,34,633/- was withdrawn by the accused persons.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 the Coordinate Bench of this Court vide order dated 11.02.2016, passed in M.Cr.C.No.558/2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to 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 Coordinate Bench of this Court vide order dated 11.02.2016, passed in M.Cr.C.No.558/2016, 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