

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1184 of 2016

- Jageshwar Sai Painkra S/o Sukhnath Sai Aged About 39 Years
Caste Uraon, R/o Vill. - Ghumra, Tahsil - Farsabahar, Thana -
Tapkara, District Jashpur Chhattisgarh, Civil & Rev. Distt.
Jashpur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, P.S.
Kunkuri, Distt. Jashpur Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Anil Gulati, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.G.A.,

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2016

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 82/2015 registered at P.S. Kunkuri, Distt. Jashpur (C.G) for the offence punishable under Sections 420, 467, 468, 471, 409 & 120(B) IPC. The first bail application was dismissed on 17.11.2015.
2. As per the prosecution case, in the year 2011-2012 certain work was done under the MNGREGA Scheme by the Gram Panchayat Tenthetangar. At that time, the applicant who was working as Technical Assistant of Gram Panchayat Kunjara assisted to prepare forged muster rolls and on the basis of forged muster rolls the amount was withdrawn by the accused thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he was working as Technical Assistant under the CEO on contract basis. He further submits that similarly placed co-accused Bajrang

Gupta has been enlarged on bail by order dated 11.02.2016 passed in M.Cr.C.No. 558 of 2016 by the Coordinate Bench of this Court. It is further submitted that the charge sheet in this case has been filed and no further evidence is required, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Taking into consideration the totality of facts and circumstances especially the nature and gravity of offence and further taking into fact that co-accused Bajrang Gupta against whom similar allegations are attributed, has been enlarged on bail by the Coordinate Bench of this Court, I am inclined to release this applicant also on bail.
6. Accordingly the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE