

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.1230 of 2016

Sagar, son of Mahatmaram, aged about 48 years, resident of
village Pangri, Police Ambagarh Chowki, District Rajnandgaon (C.G)
... **Applicant**

Vs.

State of Chhattisgarh through the Station House Officer, Police
Station Ambagarh Chowki, District Rajnandgaon (C.G).
... **Respondent**

For the applicant	:	Mr. Abhishek Sharma, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy. Govt. Adv.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10.03.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant who has been arrested in connection with Crime No. 278 of 2015 registered at P.S. Ambagarh Chowki, District Rajnandgaon (C.G) for the offence punishable under Section 420, 468, 471 & 34 of IPC and sections 3 & 7 of the Essential Commodities Act.
2. Case of prosecution, in brief, is that according to the office bearer of Gram Panchayat Pangri, the other co-accused persons while running a Fair Price Shop even after death of beneficiary Vishwasha Bai used to distribute her share of food grains to the applicant for the last 20 months and the applicant did not inform the authorities about death of beneficiary who died on 23.06.2013, thereby he committed the offence.
3. Learned counsel for the applicant submits that that the applicant has not committed any offence and he has been

falsely implicated in crime in question. He further submits that similarly placed co-accused have been granted bail by the coordinate Bench this Court on 19.01.2016 in M.Cr.C.No. 7768 of 2015, therefore, the present applicant may also be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Taking into consideration the facts and circumstances of the case; nature & gravity of the offence; role played by the present applicant as also the fact that the charge sheet in this case has already been filed and the applicant is stated to be in jail since 24.12.2015, this court is of the opinion that present is a fit case, to enlarge the applicant on regular bail.
6. Accordingly, the application filed u/s 439 Cr.P.C., 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 till disposal of the trial.

C.c. as per rules.

Sd/-
SANJAY K. AGRAWAL
JUDGE