

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.1234 of 2016

Ravindra Kumar Yadav, son of Tuleshwar Yadav, aged about 27 years, caste Mahakul, resident of village Tetetangarh, Police station Kunkuri, District Jashpur (C.G). ... **Applicant**

Vs.

State of Chhattisgarh through Station House Officer, Police Station Kunkuri, District Jashpur (C.G). ... **Respondent**

For the applicant	: Mr. Malay Kumar Shrivastava, Advocate
For the Respondent	: Mr. Dheeraj Wankhede, Panel Lawyer

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. 82 of 2015 registered at P.S. Kunkuri, District Jashpur (C.G) for the offence punishable under Section 420, 467, 468, 471, 409 & 120B of IPC.
2. As per the prosecution case, in the year 2011-2012 certain work was done under the Mahatma Gandhi National Rural Employment Guarantee Scheme by Gram Panchayat Thethetangar and the applicant was mate of the village Thethetangar and on the basis of forged muster-roll, a sum of Rs.3,34,633/- was withdrawn in collusion with other the accused.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in crime in question. He further submits that the applicant is mate of village Thethetangar and there is no relation with the alleged work executed in the said village.

He also submits that co-accused Bajrang Gupta against whom similar allegations have been levelled has been granted regular bail by this Court on 11.02.2016 in M.Cr.C.No.558 of 2016. He further submits that the applicant is in jail since 06.10.2015 and the charge sheet has been filed in this case, therefore, he may be enlarged on regular bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. I have heard learned counsel for the parties and have also perused the case diary.
6. Taking into consideration the facts and circumstances of the case; further taking into consideration nature & gravity of the offence; role played by the present applicant as also the facts that similarly placed co-accused has been granted regular bail by this Court in M.Cr.C.No. 558/2016 and charge sheet has already been filed and further looking to the period of detention of the applicant as he is stated to be in jail since 06.10.2015, this court is of the opinion that present is a fit case to enlarge this applicant also on bail.
7. Accordingly, the application filed u/s 439 Cr.P.C., is allowed.
8. It is directed that the applicant shall 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/-
SANJAY K. AGRAWAL
JUDGE