

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7127 of 2015

1. Keshav Prasad S/o Shri Dalsai Aged About 21 Years By Caste Khairwar, R/o Village Mahuli, P.S. Chandni, Tahsil Odgi, District Surajpur Chhattisgarh.
2. Pawan Kumar S/o Shri Baburam Aged About 21 Years By Caste Khairwar, R/o Village Mahuli, P.S. Chandni, Tahsil Odgi, District Surajpur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Chandni, District Surajpur Chhattisgarh.

---- **Respondent**

For the applicants	:	Mr. Sushil Dubey, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 53/2015 registered at P.S. Chandni, Distt. Surajpur (C.G) for the offence punishable under Section 409 IPC & Sections 3 & 7 of the Essential Commodities Act.
2. Case of prosecution, in brief, is that the applicants were working as Salesmen in the Government Fair Price Shop being run by Maa Garhawatiya Mahila Swa Sahayata Samooh wherein Rudan Bai is President and Suman Bai is Secretary. It is further case that applicant Keshav Prasad is husband of Suman Singh and applicant Pawan is son of Rudan Bai and they used to manage the entire business of ration distribution meant for poor people. It is alleged that the

applicants who were in the helm of the affairs have committed forgery and defalcation different food and others items amounting to Rs.1,72,358/- for which a report was made by the Food Inspector on 30.09.2015.

3. Learned counsel for the applicants submits that the entire allegations are against the Rudan Bai and Suman Singh who were President and Secretary of Maa Garhawatiya Mahila Sewa Sahayata Samooh, Mahuli, therefore, considering the role played by these applicants, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the role played by these applicants that they were working as Salesmen in the fair price shop being run by the Society and looking to the degree of allegations levelled against them and the primary allegations are attributed to Rudan Bai and Suman Singh and further taking into the detention period of the applicants as they are stated to be in jail since 06.11.2015, I am inclined to release them on regular bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**