

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 934 of 2016**

1. Narendra Mehar, S/o. Late Shri Jeevanlal Mehar, aged about 40 years, Occupation- Service (Computer Operator on Contractual basis), R/o. Boirdadar, Near Shalini School, In front of Church, Raigarh, P.S. - Chakradharnagar, Tahsil – Raigarh and District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer of the Police Station – Chakradharnagar, District – Raigarh (C.G.)

---- Respondent

For Applicant	: Ms. Sharmila Singhai, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****07/10/2016**

1. Apprehending arrest in connection with Crime No.226/2016 registered at Police Station- Chakradharnagar, District – Raigarh (C.G.), for offence punishable under Section 467, 468, 471 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a report was made on 15.07.2016 by the CEO, Janpad Panchayat, Raigarh that the applicant who was working as Data Entry Operator in the office of Janpad Panchayat, Raigarh by way of forged signature transferred an amount of Rs.9,90,000/- in different accounts of beneficiaries of the Indira Awas Yojna. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant was only working as Data Entry Operator in the office of Janpad Panchayat and the amount was routed through the bank and it is not possible for this applicant to get the benefit of the amount and

he is not the beneficiary. Therefore, the counsel prays that the applicant may be extended the benefit of Section 438 of Cr.P.C.

4. Per contra, learned counsel for the State opposes the application for grant of bail.
5. I have heard learned counsel for the parties.
6. Perused the report and the statement of Neha Singh. Considering the statement it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant as it can not be stated that custodial interrogation of the applicant may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge