

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6741 of 2016

1. Devkumar Dewangan S/o Sadhna Prasad Dewangan Aged About 33 Years R/o Asha Nagar Ward No.21, Durg, Tehsil & District Durg, Chhattisgarh.
2. Khemraj Dewangan S/o Sadhna Prasad Dewangan Aged About 24 Years R/o Asha Nagar Ward No.21, Durg, Tehsil & District Durg, Chhattisgarh.
3. Jageshwar Dewanagan S/o Sadhna Prasad Dewangan Aged About 21 Years R/o Asha Nagar Ward No.21, Durg, Tehsil & District Durg, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station- Telibandha, Raipur, District- Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Avinash Chand Sahu, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 244/2016 registered at P.S. Pulgaon, Distt. Durg (C.G) for the offence punishable under Sections 408, 420, 467, 468, 471, 34, 381 and 120-B of IPC.
2. As per the prosecution case, a report was made by P.B. Deshmukh, Director of Shankaracharya Technical Campus, Bhilai that one Sagar Borker who was working as an Accountant and Data Entry Operator had withdrawn an amount of Rs.95,82,275/- at different points of time and deposited the same in different accounts of his relatives and friends (total 110 persons) and withdrew the same with their

help and thereby the aforesaid offence was committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and the main offence was committed by accused Sagar Borker who had deposited the amounts in the accounts of the present applicants and these applicants have not committed any offence. He further submits that similarly placed accused Chitranand has been enlarged on bail by this Court in M.Cr.C. No.5898/2016 on 28.09.2016, therefore, the present applicants may also be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the person against whom similar allegations were levelled has been enlarged on bail by this Court in M.Cr.C.No.5898/2016.
5. Considering the fact that similarly placed accused has been enlarged on bail by this Court on 28.09.2016 in M.Cr.C.No. 5898/2016 as also the fact that the charge sheet in this case has been filed; the main allegations are attributed to accused Sagar Borker and looking to the detention of the applicants as they are stated to be in jail since 11.06.2016, I am inclined to allow this bail application.
6. Accordingly, the bail 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.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**