

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1389 of 2016**

- Ramkumar S/o Teekaram Aditya, Aged about 44 Years, R/o Village Bhatgaon, Police Station Bilaigarh, Tahsil Bilaigarh, Civil & Revenue District Baloda Bazar - Bhatapara (Chhattisgarh).

---- Applicant**Versus**

- State of Chhattisgarh Acting Through, Officer In Charge, Out Post Bhatgaon, Police Station Bilaigarh, Civil & Revenue District Baloda Bazar – Bhatapara (Chhattisgarh).

----Non-applicant

For Applicant	:-	Shri Devesh G. Kela, Advocate.
For the State/Respondent	:-	Shri R.K. Gupta, Dy. A.G.

SB: Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****01-06-2017**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973 filed by the applicant for anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant apprehends his arrest in connection with Crime No.314 of 2016, registered at Outpost Bhatgaon under Police Station Bilaigarh, District Baloda Bazar – Bhatapara for offence punishable under Section 420 read with Section 34 of IPC. The applicant is innocent and has been falsely implicated in the case. He is in-charge of Krishak Seva Sahkari Samiti, Bhatgaon. He has made various complaints regarding defalcation and mismanagement in the Society which has come into his knowledge against office bearers of the Society. For this reason, a false complaint has been lodged against him. His application for anticipatory bail before the First Additional Sessions Judge, Baloda Bazar has been dismissed. Thereafter, this is the first bail application before this Court.

Documents have been submitted with respect to the various complaints made by the applicant against office bearers of the Society. It is prayed that the applicant be benefited with anticipatory bail.

3. On the other hand, learned State counsel has opposed the bail application.
4. It is submitted that the applicant was in-charge of the purchase of paddy by the Society for the year 2015-16. It was under his charge that the area of lands of 27 agriculturists were falsely increased and additional 1963.30 quintals of paddy worth Rs.27,68,817/- has been purchased violating the paddy purchase policy of the State for which the applicant is directly responsible and in this regard enquiry has been made and on the basis of positive report in the enquiry, FIR has been lodged against him. Hence, the applicant is not entitled for anticipatory bail.
5. I have heard learned counsel appearing for the parties, perused the case diary and other documents.
6. As per contents of case diary, there is evidence that the applicant had been a party to defalcation and forged entries for the additional procurement of paddy in violation of the State policy. Under these circumstances, this is not a fit case where the applicant should be extended the benefit of anticipatory bail under Section 438 of the Cr.P.C. Hence the application is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge