

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 220 of 2017

- Sagar Das S/o Tilak Das Aged About 43 Years R/o Ranpota, Police Station Hasaud, Tahsil Malkharauda, District Janjgir- Champa, Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Dabhra District Janjgir- Champa, Chhattisgarh

---- **Respondent**

For Applicant : Mr. K.K. Dewangan, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25-01-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 10-9-2016 in connection with Crime No. 366 of 2014, registered at Police Station Dabhra, District Janjgir- Champa (CG) for the offence punishable under Sections 409, 420, 467, 468, 34 of IPC.
2. Case of the prosecution, in brief, is that a report was made by the Chief Executive Officer, Janpad Panchayat, Malkharoda that 11 number of development work of Gram Panchayat, Devgaon was allotted for which Rs.1,04,00,807/- was sanctioned . On enquiry, it was found that the entire work has not been carried out and the applicant who was Secretary of Gram Panchayat, along with other co-accused had prepared forged muster roll and wage slips to

withdraw the amount of the workers who had not worked and thereby the aforesaid offence has been committed.

3. Learned counsel appearing for the applicant would submit that the applicant has not committed any offence, the entire amount has been transferred to the respective accounts of the labourers and no cash transaction was made and the applicant is not beneficiary. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 10-9-2016 and no further investigation is required, therefore, she may be released on bail.
 4. On the other hand, learned State counsel opposes the prayer for grant of bail.
 5. I have heard learned counsel for the parties, perused the case diary and documents.
 6. Taking into consideration the facts and circumstances of the case and further considering the evidence which appears to be documentary in nature and also the fact that charge-sheet in this case has been filed and he is in jail since 10-9-2016, this court is inclined to release the applicant on bail.
 7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance as and when directed.
- Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

