

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1687 of 2017

- Ghanshyam Sidar S/o Shri Ramlal Sidar, Aged About 45 Years R/o Jamgahan, Chowki- Bhatgaon, Thana- Bilaigarh, District- Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Chowki- Bhatgaon, Thana- Bilaigarh, District- Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	Mr. Amrito Das, Adv.
For Respondent/State	Mr. Ashish Shukla, GA

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

27/03/2017

1. Heard finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.256/2015 registered at Police Station, Bhatgaon, Thana Bilaigarh, District Baloda Bazar, Bhatapara (CG) for commission of the offence punishable under Sections 420, 467, 468, 471, 120 B, 409 read with Section 34 of the IPC.
3. Learned counsel for the applicant would submit that the co-accused persons Mukesh Kumar Sahu, Satyendra Kumar, Rajkumar Chawale & Santosh Kumar are granted bail by this Court vide order dated 28.2.2017 in MCRC Nos. 8074/2016, 47/2017, 8248/2016 & 134/2017. He submits that the case of the present applicant is similar to the case

of co-accused persons. The applicant has made complaint against the person concerned for the embezzlement of about Rs. 3 crores by interpolating the record and other activities, but instead protecting him, the Police had registered the case against him. The other employees and the Computer Operator were responsible for the entire embezzlement and the applicant is innocent. The offence is triable by Magistrate First Class and trial will take some time.

4. On the other hand, learned State counsel opposed the bail application. He submits that during investigation, Police recorded 161 Cr.P.C. statement of Deepak Sahu, Sunder Singh and also collected evidence, shows that the present applicant used to keep pass book of the farmers by obtaining signature in the blank withdrawal form from the farmers. He was the Fad Incharge and also Incharge for the Committee of paddy purchase, with this, his case is not at par with the other co-accused persons granted bail by this Court. As the applicant and other responsible persons are responsible for the loss of about Rs. 3 crores to the State intentionally, the instant MCRC may be dismissed.
5. Perused the material available on record.
6. On due consideration, I do not think it a similar case as of the other co-accused persons in light of evidence collected by the prosecution during investigation. In the present matter the applicant was incharge of the purchase of paddy committee and in total about Rs.3 crores loss has been occurred to the State intentionally by interpolation and other activities primarily responsible by the applicant, I am not inclined to

allow the bail application of the applicant.

- 7. Consequently, instant MCRC is dismissed.
- 8. CC as per rules.

Sd/

(Chandra Bhushan Bajpai)
Judge