

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3986 of 2017

1. Makhanlal Sinha S/o Shri Ghasuram Sinha, Aged About 41 Years
R/o Village Parsada (Kh), Thana Bhimkhoj, Tahsil And District
Mahasamund (Chhattisgarh)
2. Yashpal Jaiswal, S/o Kashiram Jaiswal, Aged About 35 Years,
Caste - Kalar, Farmer, R/o Village Gatapar, Thana Palari, District
Balodabazaar- Bhatapara (Chhattisgarh)

---- Applicants

Versus

- State Of Chhattisgarh Through: Station House Officer, Police
Station - Mahasamund, District - Mahasamund (Chhattisgarh)

---- Respondent

For Applicants	Shri S. S. Rajput and Shri T. K. Tiwari, Advocates
For Respondent	Shri Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

22/11/2017

1. The applicants have preferred this bail application under Section 439 of CrPC, as they have been arrested in connection with Crime No.78/2016, registered at Police Station Mahasamund for the offences punishable under Sections 420, 467, 468, 471, 409/34 of IPC.
2. The applicants are the President and Secretary of Jan Sahara Social Welfare Society, NGO. It is alleged that during the period 2009 to 2011, they have obtained financial support from the State Government to carry out the activities of the NGO to provide

training to the beneficiaries for operating stitching machine, manufacturing of cement poles, mason training, distribution of tools and other allied activities. However, upon their failure to provide such training, the villagers made complaint to the Authorities, on which an enquiry was made wherein the allegations were found to be correct.

3. Learned State counsel would vehemently oppose the bail application on submission that huge amount to the tune of Rs.48,16,82,000/- has been embezzled by the applicants, therefore, it is not a fit case for release of the applicants on bail.
4. Having considered the material available in the case diary and the bail order passed in respect of co-accused Rajendra Chandraker in MCRC No.1646/2017, Anil Sharma in MCRC No.2375/2017 and Smt. Smita Sinha in MCRC No.370/2017 as also for the reason that the offences are triable by the Judicial Magistrate 1st Class, the applicants are in jail for last more than 6 months and the charge sheet has already been filed, this Court is inclined to release the applicants on bail. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge
Prashant Kumar Mishra