

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4678 of 2017**

Umashankar Sahu S/o Chhatturam Sahu Aged About 31 Years R/o Bhatgaon Permanent R/o Village Devsagar, Post Office Devsagar, Tahsil-Bilaigarh, Chowki Bhatgaon, Police Station- Bilaigarh, District Baloda Bazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri Manoj Paranjpe, Advocate
For the Non-applicant	:	Shri Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**01/11/2017**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 314/2016 registered at Police Chowki Bhatgaon, Police Station Bilaigarh, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the Umashankar Sahu was the Computer Operator Paddy Procurement Center, Bhatgaon. During the year 2015-16 said applicant and other four co-accused namely Dharamjit Singh, Rupesh Kumar, Rajkumar and Lokesh fabricated the land record and purchased 1963.30 quintals of paddy in excess,

which is the violation of the Government Policy.

4. Learned counsel for the applicant submits that applicant has falsely implicated in this case; applicant was arrested since 23/04/2017; other four co-accused namely Ramkumar, Lokesh, Dharamjit Singh and Rupesh Kumar are already on bail by co-ordinate Bench and the case of the applicant is not different from them, therefore, it is prayed that the applicant may be enlarged on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to these circumstances and other facts of the case, there is no likelihood that the said applicant may be absconded, there is no possibility of tempering of the evidence, this Court is inclined to give the benefit of Section 439 of the Cr.P.C. to the present applicant.
7. Consequently, the bail application filed under Section 439 of the Cr.P.C., is allowed.
8. It is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he will appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge