

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4617 of 2017

- Chetan Ram Kurre S/o Thanu Ram Kurre Aged About 40 Years R/o Village Koundkera, Police Station Rajim, District Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Rajim, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. P.P. Sahu, Advocate.
For Respondent/State	:	Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/10/2017

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 in connection with Crime No. 95/2017, registered at Police Station- Rajim, District – Gariyaband(C.G.) for the offence punishable under Sections 420, 409, 467, 471 and 120B of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant has been falsely implicated in this case. Applicant had been Sarpanch of the Gram Panchayat, Koundkera and responsible for allotment of this Pradhan Mantri Awas Yojna. A house of the Pradhan Mantri Awas Yojna was to be allotted to one Rukmani Bai, Satnami by caste, resident of Village-Koundkera, the Rojgar Sahayak Kuleshwar Mandal

co-accused in this case represented, that Kailash Bai is the mother of Rukmani Bai, hence, she is entitled for allotment on the basis which the house was allotted to Kailash Bai. Applicant had not played any fraud, he has acted in capacity of the post held by him and in accordance with the information placed before him. Applicant is in jail since 8.6.2017. The case has been investigated and charge-sheet has been filed. It is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the prayer for grant of bail, however, he would submit that applicant had full knowledge that Rukmani Bai was deceased and the said Kailash Bai was the real mother of the Rojgar Sahayak Kuleshwar Mandal, who was not entitled for allotment of the house even then has made allotment in his favour, hence, this is clear cut of financial irregularities and other offence as alleged, hence, prayed that the applicant is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. As alleged in the prosecution case, applicant and other co-accused persons have wrongly allotted the house of Pradhan Mantri Awas Yojna to a person, not entitled for the purpose of taking undue benefit from this allotment.
6. Considering the submissions made and contents of the case diary and this fact that applicant is in custody since 8.6.2017, no purpose would be served if the applicant is kept in detention till the conclusion of trial, hence, it is a fit case for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

- 8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha