

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6666 of 2017

1. Arti Das S/o Agr Das Vaishnav Aged About 36 Years R/o Village Dhanseer Police Station Saliha District (Revenue & Civil) Balodabazar Bhatapara Chhattisgarh.
2. Rameshwar S/o Pratbhan Singh Aged About 54 Years Caste Gond , R/o Village Dhanseer Police Station Saliha District (Revenue & Civil) Balodabazar Bhatapara Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh Through Police Station Saliha District (Revenue & Civil) Balodabazar - Bhatapara Chhattisgarh. --- **Respondents**

For the applicants	:	Mr. Sumit Jhawar, Advocate.
For the Respondent	:	Mr. Ashish Shukla, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.12.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 56 of 2017 registered at Police Station Sahila, Distt. Baloda Bazar-Bhatapara (C.G) for the offences punishable under Sections 420, 34 of IPC.
2. As per the prosecution case, a report was made by one Narayan Sahu, Panchayat Secretary of Dhanseer that the present applicants who are members (Panch) of the village Dhanseer while disbursing the amounts of beneficiaries of Pradhan Mantri Awas Yojna has cheated six of the beneficiaries and total amount of Rs.54000/- were taken from them by fraud, thereby the offence has been committed.
3. Learned counsel for the applicants submits that the main

allegations are attributed to one Devnarayan Kuldeep who was Sarpanch and the present applicants are only members (Panch) of the village and the applicants have not committed any offence. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicants are in jail since 26.09.2017, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. .
5. Perused the case diary. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed and the applicants are in jail since 26.09.2017, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE