

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1286 of 2016

- Ramdas Kurre S/o Shri Ramadhar Kurre Aged About 45 Years
R/o-Village- Barbhata, Police Station-Bilaigarh, District-Baloda
Bazar, Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through- Police Station-Bilaigarh, (Police-
Chowki- Bhatgaon), District- Baloda Bazar, Chhattisgarh ---
Respondent

For the applicant : Mr. Sandeep Dubey Advocate.
For the State : Mr. Anil S. Pandey, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.03.2016

1. Apprehending arrest in connection with Crime No. 256 of 2016 registered at Police Station Bilaigarh, Distt. Baloda Bazar for the offences punishable u/ss 420, 120-B, 467, 468, 471, 34 of IPC the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a report was made by complainant Viro Singh and 3 others that the applicant who is President of Grameen Sewa Sahkarai Samiti, Pirda and Jagman in conspiracy with others inflated different areas of *Rin Pustikas* thereby more purchase of paddy was made through Society on government support price as against the actual entitlement of the different villagers and false entries were made and thereby the applicant and others accused have usurped the public money and caused loss to the tune of Rs.3 to 4 crores to the Government exchequer.
3. Learned counsel for the applicant would submit that the

applicant is President of the Cooperative Society, he has not committed any offence, no allegations are attributed in the statements of all the 57 witnesses and only on presumption the applicant has been inculpated. He further submits that no further investigation is necessary, therefore, he may be admitted to anticipatory bail.

4. Per contra, learned State Counsel opposes the bail.
5. This fact is not disputed that the applicant was President of the Grameen Sewa Sahkari Samiti and the said Society has made the purchase of large quantities of Paddy from different farmers and the amounts were deposited in their Bank Accounts. The statement of the witnesses also show that at certain point of time, blank withdrawal forms were made to sign and the areas of the lands have been inflated. The charge sheet appears to have been filed. The appellant is still concealing himself in order to avoid execution of arrest.
6. Taking into the statements of beneficiaries and the report lodged by the complainant wherein named FIR has been made against the present applicant that wrong entries inflating the areas were made with the help of his nephew who was computer operator, I am of the considered view that it is not a case where the benefit of section 438 Cr.P.C., can be extended to the applicant.
7. Accordingly, this bail application seeking anticipatory bail is dismissed.

Sd/-
GOUTAM BHADURI
JUDGE

