

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8074 of 2016

Mukesh Kumar Sahu S/o Mayaram Aged About 26 Years R/o
Dokridih Police Station Bhatgaon, District Baloda Bazar-
Bhatapara, Chhattisgarh.

---- Applicant

Versus

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

----Respondent

MCRC No. 47 of 2017

Satyendra Kumar S/o Shri Gyandas Kurre Aged About 26 Years
R/o Village- Barbhatha Police Chowky- Bhatgaon, Thana-
Bilaigarh, District Balodabazar- Bhatapara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Thana- Bilaigarh, District
Balodabazar- Bhatapara, Chhattisgarh.

-----Respondent

MCRC No. 8248 of 2016

Rajkumar Chawale S/o Yad Ram Chawale Aged About 32 Years
Caste Satnami, R/o. Village Barbhatha, Police Chowki Bhatgaon,
Police Station Bilaigarh, District Balodabazar - Bhatapara
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Office, Police
Station Police Chowki Bhatgaon, Police Station Bilaigarh, District
Balodabazar - Bhatapara Chhattisgarh

---Respondent

And

MCRC No. 134 of 2017

Santosh Kumar S/o Kailash Nath Gupta, Aged About 50 Years
R/o Ward No. 01, Bhatgaon, Police Station And Tahsil- Bilaigarh,
District- Baloda Bazar- Bhatapara Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Incharge, Chowki-

Bhatgaon, Police Station- Bilaigarh, District- Baloda Bazar-
Bhatapara Chhattisgarh.

---- Respondent

For applicants - Ms. Sharmila Singhai, Shri Manoj Paranjpe and Shri
Ragvendra Pradhan, Advocates.

For Respondent/State – Shri Anil S. Pandey, G.A.

For Objector – Shri Abhyuday Singh, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/02/2017

1. All these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No. 256/2015 registered in Police Station Chowki-Bhatgaon, Bilaigarh, District Baloda Bazar-Bhatapara (C.G.) for offence punishable under sections 420, 467, 468, 471/34, 120-B & 201 of Indian Penal Code.
3. Case of the prosecution, in brief, is that applicant Mukesh Kumar Sahu was In-charge of Paddy Procurement Centre of Pirda and Jagmohan, applicant Satyendra Kumar was computer operator, Santosh Kumar was the President of Gramin Sewa Sahkari Samiti Maryadit the society which procured the paddy and Rajkumar Chawale was also an computer operator. A report was made by one Bachhan Bai though she has not made any sale in respect of the paddy of the land but in her bank account different amount were deposited and were withdrawn though she has not actually affected sale and purchase. In respect of such complaint when the investigation was made, it was found that applicants in connivance with each other had prepared false rin pustika of different villagers and inflated the area as against the

holding and purchased the paddy as over the entitlement of sale which is reciprocated to the area. Since paddy was purchased at support price by the government, by false entry and inflated area more than the entitled paddy were purchased which caused loss to the government ex-chequer.

4. Learned counsel for the applicants submits that there is no evidence against the applicants to show that the applicants have inflated the area in Rin Pustika. It is submitted that the concerned Patwari in the instant matter has not been made an accused who was In-charge to demarcate the area. It is further submitted that the amount were deposited in the concerned account of the beneficiaries and they had withdrawn the amount therefore applicants have not committed any fraud. It is further submitted that charge sheet in this case has been filed, therefore there is no chance of any manipulation or tampering of the evidence and the applicants are in jail from last four months, therefore the applicants may be released on bail.

5. Learned State counsel and counsel for the objector opposes the prayer for grant of bail and would submit that in connivance with each other the applicants have manipulated the area in rin pustika, procured the paddy and thereafter made withdrawal from the respective account to their benefit.

6. Perused the case diary and the documents as also reply of the State and objector. Allegation have been made that the applicants have made purchase over and above entitlement area of the respective farmers on the basis of forged area shown in rin pustika. The incident is of 2013-2014. Thereafter, documents would reveal that several enquiries have been made. Taking into such fact and nature of

evidence available it appears that all the evidence are documentary in nature and the charge sheet has been filed. Further taking into fact that all the offences are triable by JMFC, this court is inclined to release the applicants on bail.

7. Accordingly, the bail applications are allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE