

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8547 of 2016

- Shyam Dulari W/o Santosh Sidar, Aged About 28 Years R/o Village- Odekera, Police Station And Tahsil- Jaijaipur, District- Janjgir-Champa Chhattisgarh.

---- **Petitioner**

Versus

- State of Chhattisgarh Through- The District Magistrate, Janjgir-Champa (Chhattisgarh).

---- **Respondent**

For Applicant : Mr. Ravindra Agrawal, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11-01-2017

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 on 15-11-2016 in connection with Crime No. 366 of 2014, registered at Police Station Dabhra, District Janjgir-Champa (CG) for the offence punishable under Sections 409, 420, 467, 468, 34 of IPC.
2. Case of the prosecution, in brief, is that on 2-11-2014 a report was made by the Chief Executive Officer, Janpad Panchayat, Malkharoda that 11 number of development work of Gram Panchayat, Devgaon was allotted for which Rs.1,04,00,807/- was sanctioned . On enquiry, it was found that the entire work has not been carried out and the applicant had prepared forged muster roll and wage slips to withdraw the amount of the workers who had not worked and thereby the aforesaid offence has been committed.

3. Learned counsel appearing for the applicant would submit that the applicant is not beneficiary and the cheque was withdrawn with the signature of the Secretary of the Gram Panchayat and the incident is of 2014. The applicant was working as Rojgar Sahayak of Gram Panchayat Deogaon and she is not concerned with the payment made for the work done. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 15-11-2016 and no further investigation is required, therefore, she may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case and further considering the evidence which appears to be documentary in nature and also the fact that the applicant is a lady, charge-sheet in this case has been filed and she is in jail since 15-11-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

