

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 30 of 2017

- 1. Dilesh Chandrakar S/o Shri Netram Chandrakar Aged About 41 Years
R/o Village Nanapuri, Police Station- Kunda, District Kabeerdham,
Chhattisgarh.
 - 2. Ashok Kumar Vaishnav, S/o Shri Lavkush Vaishnav, Aged About 48
Years R/o Village Senhabhata, Police Station Kunda, District
Kabeerdham Chhattisgarh
 - 3. Videsh Chandrakar, S/o Shri Sampatram Chandrakar, Aged About 50
Years R/o Musau, Nawagaon, Police Station Kunda, District
Kabeerdham Chhattisgarh
- Applicants**

Versus

- The State of Chhattisgarh through Police Station Kunda, District
Kabeerdham Chhattisgarh
- Respondent**

For the applicants	:	Mr. Malay Kumar Bhaduri, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.01.2017

- 1. This is first bail application filed under Section 439 of the
Code of Criminal Procedure seeking grant of regular bail to
the applicant in connection with Crime No. 45 of 2016
registered at P.S. Kunda, Distt. Kabeerdham (C.G) for the
offence punishable u/ss 3 & 7 of the Essential Commodities
Act.
- 2. As per the prosecution case, applicant No.1 Dilesh
Chandrakar who was working as Salesman of the
Government Fair Price Shop; Ashok Kumar who was
Secretary of Gram Panchayat and applicant No.3 is an Ex-
Sarpanch of Gram Panchayat Naroli have misappropriated
the ration goods of public distribution worth Rs.84,067/- i.e.,
58.09 quintals of rice and 2.85 quintals of sugar.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated. He referred to the documents obtained under the RTI Act and would submit that the ration cards which are shown to be forged is belied by their own statement and departmental correspondence, therefore, no offence has been committed.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents. Considering the nature of allegations and further taking into the correspondence as also the fact that the charge sheet has been failed and no further investigation is necessary, without further observations on merits of the case, 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. They shall also appear before the trial Court as and when directed by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE