

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1378 of 2017

1. Pawan Kumar Bharti S/o Chhabi Kumar Bharti, Aged About 50 Years R/o Village & Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh).
 2. Harbhajan Verma, S/o Dhanuk Lodhi, Aged About 55 Years R/o Village Basantpur, Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh),
 3. Dharam Das S/o Chintaram Sahu, Aged About 58 Years R/o Village Sahaspur, Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh),
 4. Heeru S/o Derha Ram, Aged About 44 Years R/o Village Bijnapur, Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh),
 5. Patram S/o Bhikhari, Aged About 50 Years R/o Village Mudiya, Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh),
 6. Shatruhan S/o Rambihari Sahu, Aged About 45 Years R/o Village Jarwahi, Post Mohara, Police Chowki Mohara Police Station Dongargarh, District Rajnandgaon (Chhattisgarh)
- All Sanchalakgan, Sewa Sahkari Samiti Maryadit Mohara, Reg. No. 1574, Police Station Dongargarh District Rajnandgaon (Chhattisgarh).

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officers Police
Station Dongargarh, District Rajnandgaon (Chhattisgarh).

---- Respondent

For applicants - Shri V.C. Ottalwar and Shri F.S. Khare, Advocate.
For Respondent/State – Shri Ashish Shukla, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/03/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 19/12/2016 vide M.Cr.C. No.7807/2016.
2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 93/2015 registered in Police Station Dongargarh, District Rajnandgaon (CG) for offence

punishable under sections 406, 409, 420, 467, 34 of Indian Penal Code.

3. As per the prosecution case, the applicants who are the members of Sewa Sahkari Samiti Maryadit, Mohara in between the period 2013-2014, 2014-2015 had made false entry in the register for procurement of paddy and amount of Rs.1,04,55,411.48 was misappropriated which caused huge loss to the government and the samiti.

4. Learned counsel for the applicants submits that first enquiry was earlier conducted and report is dated 12/11/2014. Subsequent another enquiry report is of 22/05/2015 wherein it was found that because of natural calamity certain loss were caused and recovery therefore was made. He submits that charge sheet has been filed, no further investigation would be necessary, therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the case diary and the documents. Charge sheet in this case has been filed. Voluminous evidence are recorded which shows that various enquiry were made prior to the report. Considering the facts and circumstances of the case, nature of evidence available appears to be documentary in nature, this court is inclined to release the applicants on bail.

7. Accordingly, the second bail application is 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

