

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2804 of 2017

- Jitendra Kumar S/o Babulal Sahu, Aged About 43 Years R/o Village Purgaon, Police Station Bilaigarh, District Baloda Bazar Bhatapara Chhattisgarh
--- Applicant

Versus

- State of Chhattisgarh through Station House Officer, Police Station Bilaigarh, District Balodabazar Bhatapara Chhattisgarh –
Respondent

For the applicant	:	Mr. Raghavendra Pradhan & Mr. Goutam Khetrapal, Advocates
For the State	:	Ms. M. Asha, Panel Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.05.2017

1. This is third 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.312/2016 registered at P.S. Bilaigarh, Distt. Balodabazar-Bhatapara (C.G) for the offence punishable under Sections 420, 467, 468, 471, 34 of IPC.
2. As per the prosecution case, a report was made that the present applicant who was working as Incharge of Paddy Procurement Center, Rampur, has purchased the paddy from villagers. It is alleged that the said purchase was made on government support price over and above the actual entitlement of the sale of paddy from the farmers who had inflated their actual land holdings, thereby caused loss to the Government Exchequer. It is alleged that additional quantity of 1100 quintals of paddy worth Rs.15 lakhs was purchased and the applicant in connivance with other accused committed fraud.

3. Learned counsel for the applicant would submit that this is third bail application; the first one was dismissed as withdrawn on 24.01.2017 with liberty to renew the same after filing of the charge sheet and the second one was dismissed as withdrawn on 06.3.2017 with liberty to repeat the same before the trial Court. However, both the bail applications were not decided on merit. He further submits that the charge sheet has been filed; applicant is in jail since 07.12.2016 and no further investigation is necessary, therefore, he may be enlarged on bail.
4. On the other hand, learned State Counsel opposes the prayer.
5. Perused the case diary documents. Taking into the nature of allegations levelled against the applicant and the duty discharged by him and further considering that the entire evidence available in this case appears to be of documentary nature as also the fact that the charge sheet has been filed and the applicant is in jail since 07.12.2016, I am inclined to release the applicant at this stage.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**