

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1023 of 2017

Veer Pal Singh S/o Late Karan Singh Aged About 57 Years R/o
Vrindavan Garden Daldal Sivni , Mowa, Raipur Chhattisgarh. ,
Chhattisgarh **--- Petitioner**

Versus

State of Chhattisgarh through The Police Station Khamtarai ,
Raipur Chhattisgarh. , Chhattisgarh **--- Respondent**

For the applicant : Mr. Ali Asgar, Advocate.
For the State : Mr. Adhiraj Surana, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2018

1. Apprehending arrest in connection with Crime No.515/2017 registered at Police Station Khamtarai, Raipur (C.G) for the offences punishable u/ss 420 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, one Kishan Lal Chaurasia who was terminated from his service by the Central Warehousing Corporation made a complaint that the applicant and other persons of the Central Warehousing Corporation have deployed the security agency and though the ex-servicemen were not not appointed and ordinary civilians were appointed as security guards but the payments were made taking the amount of ex-army men and the service tax was also embezzled.
3. Learned counsel for the appellant submits that Kishan

Lal Chourasia was terminated from his service and in order to take vengeance, he has falsely implicated the present applicant. He further submits that scrutiny guards are appointed by the regional office of the corporation after due scrutiny. He submits that the applicant is working as Superintendent and his duty is only to mark the attendance of security men and assign the duties to them whereas the deployment of security-men is at the behest of the regional office and the appointments are being made by them, therefore, no role has been played by the present applicant.

4. Per contra, learned State Counsel opposes the prayer.
5. Perused the case diary. The dispute relates to deployment of security guards and the applicant is performing different duties. Considering the stage of investigation, it appears that till date nothing has cropped up against the present applicant.
6. Looking to the nature of allegations levelled against the applicant who is working as Superintendent in Central Warehousing Corporation and the nature of duties assigned to him, I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also

abide by the following conditions :-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any police officer;
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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