

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2366 of 2018

Aghna Singh S/o Mahipal Singh Aged About 50 Years Caste- Rautiya, R/o-
Village- Tukutoli, Police Chowki- Ara, Police Station- Jashpur, District-
Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station-
Tapkara, District- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

--- Respondent

For Applicant	:	Shri J.K. Saxena, Advocate
For Respondent/State	:	Shri Dhiraj Wankhede, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/05/2018

Heard.

1. The applicant has been arrested in connection with Crime No.50/2015 registered at Police Station – Tapkara, District – Jashpur (CG) for alleged commission of offences under Section 409, 420/34 of IPC and Section 3, 7 of Essential Commodities Act.
2. Case of the prosecution is that while the applicant was working as Secretary, the Salesman in a fair price shop run under the control of Gram Panchayat, did not supply full quantity of food grains to the beneficiaries and in conspiracy with the present accused and other co-accused misappropriated more than 70 quintals of Rice of Rs.1,75,750/-.
3. Learned counsel for the applicant submits that the allegations against the present applicant are not made out. He would submit that the allegation of misappropriation is against the salesman. It is submitted that investigation is complete, charge sheet has been filed, the applicant is not likely to abscond or tamper with the prosecution witnesses. Lastly, it is submitted that the co-accused – Safiya Toppo and Shishupal, salesman, have already been granted bail by this Court in MCrC No.4366/2017 and MCrC No.5469 of

2017.

4. On the other hand, learned State counsel opposes bail application and submits that the applicant is directly involved in this case because he was involved in distribution of food grains through fair price shop.

5. Taking into consideration the submission of learned counsel for the parties, nature of allegations, amount involved and that the applicant is in jail since 08.03.2018, investigation is complete, charge sheet has been filed, the applicant is not likely to abscond or tamper with the prosecution witnesses, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Sd/-
(Manindra Mohan Shrivastava)
Judge