

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2754 of 2018

- S. D. Raj S/o P. S. Raju, Aged About 30 Years, R/o Brijraj Nagar, Dharampura, Jagdalpur, District Bastar Chhattisgarh, District : Bastar (Jagdalpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kanker, District North Bastar Kanker Chhattisgarh, District : Kanker, Chhattisgarh

---- Non-applicant

For Applicant – Shri Pravin Kumar Tulsyan, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-06-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 02-04-2018 in connection with Crime No.89/2014 registered at P.S. Kanker, District North Bastar Kanker, Chhattisgarh for the offence under Section 409, 420, 120(B), 423, 467, 468, 471, 419 and 204 of the IPC and Section 138 of Negotiable Instrument Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 02-04-2018. Main accused Mangtaram Khande and other co-accused persons have been benefited with grant of bail by coordinate Bench of this Court and this applicant has a better case, hence, on that basis it is prayed that this applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that in total Rs.1,75,28, 722/- have been defalcated by the accused persons, in which, this applicant has played significant role, hence, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. A complaint was made by Rajendra Jha, District Education Officer on 11-03-2014. According to which, financial irregularities was committed by main accused Mangtaram Khande by providing supply order to suppliers, in turn, the suppliers released forged bills of the supply which was not made and the amount was withdrawn from the department causing loss to the Govt. exchequer. Hence, this case.
6. It appears that main accused Mangtaram Khande and similarly placed co-accused persons who are also suppliers to the said department have been granted bail, on that basis this applicant also deserves to be released on bail during pendency of the trial against him.
7. Consequently, this application filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge