

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 468 of 2018

- Dinbandhu Tandi S/o Late Ramle Tandi, Aged About 51 Years, R/o Kodopali, Post Maldamaal, Tahsil Saraipali, District Mahasamund Chhattisgarh Present Address Basant Vihar, Behind Saraswati School Jashpur, Tahsil And District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

MCRCA No. 469 of 2018

- Suresh Kurre S/o Shri Late Aatma Ram, Aged About 38 Years, R/o Balco Nager, Korba, District Korba Chhattisgarh, Present Address Darbaritoli, Jashpur Tahsil And District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

For Applicants – Shri Ravindra Sharma, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-06-2018

1. As these two MCRCA arise out of the same crime number, i.e. Crime No.49/2018, registered at Police Station Jashpur, District Jashpur, Chhattisgarh for the offence under Section 420/34 of the IPC, they are being decided by this common order.
2. These applications have been filed by the applicants for grant of anticipatory bail as they are apprehending their arrest in connection with aforesaid crime number and offence.
3. It is submitted by learned counsel for the applicants that applicant Suresh Kurre (applicant in MCRCA No. 469/2018) is Labour Inspector and

applicant Dinbandhu Tandi (applicant in MCRC No.468/2018) is Assistant Labour Inspector, both are posted in District Jashpur. It is further submitted that both these applicants have been falsely implicated in this case. According to the FIR itself, it is clear that one Sarita wife of Ramlagan Ram and officers of the labour department have been held responsible for receiving illegal gratification for distribution of cycle and scholarship. There is no allegation against the Inspector or Assistant Labour Inspector of the labour department. Hence, for these reasons, both these applicants may be benefited with grant of anticipatory bail.

4. Learned counsel for non-applicant/State opposes the applications submitting that there is sufficient evidence to show the involvement of these applicants in commission of crime, hence, they are not entitled for grant of anticipatory bail.

5. Heard learned counsel for the parties and perused the case diary.

6. A complaint was made by S.S. Dubey, SDO (Revenue), Jashpur that an enquiry was made on the basis of paper publication and it was found that one Smt. Sarita and other operators of the labour department are responsible for receiving Rs.100/- from each beneficiaries regarding on-line registration and also they have received transportation cost from the beneficiaries. The allegation against these applicants is this that the distribution work of cycle and scholarship was done in the supervision of both these applicants, because of which, they are being held responsible.

7. On perusal of the case diary and statements of the witnesses, it appears that the allegation is mainly against the operators of the department and there is no mention regarding the officers of the department, although investigation is pending, but for the present, I am of this opinion that both these applicants who are available and ready to cooperate with the investigation should be benefited with grant of anticipatory bail.

8. Consequently, both these anticipatory bail applications are allowed. It is directed that in the event of arrest of these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer.

These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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 to any police officer;
- (iii) that they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge