

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 616 of 2018

Rajkumar Singh Thakur S/o Late Pawan Singh Thakur Aged About
53 Years R/o Subhash Ward, Mungeli District Mungeli Chhattisgarh,

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station City Kotwali, Mungeli District Mungeli Chhattisgarh

---- Respondent

For applicant -Shri Varun Sharma, Advocate.
For Respondent/State-Smt. Astha Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

25/06/2018

Heard.

1. This is second bail application under section 438 of Cr.P.C. The earlier bail application was dismissed on merits on 6/12/2017 vide MCRCA No.748 of 2017.
2. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 383/2017 registered at Police Station City Kotwali Mungeli for offence punishable under Section 409, 34 of IPC and section 3/7 of the Essential Commodities Act.
3. As per the prosecution case, the applicant alongwith co-accused were working as Lead Manager and Salesman in Government Cooperative Marketing Federation and they alongwith other accused collected huge amount of Rs.46 lakhs meant for distribution of kerosene oil under PDS and siphoned of the said amount in different ways. Consequently, the kerosene oil could not be procured and distributed though the amount was deposited in the account of Marketing Federation, thereby the applicant alongwith other accused have committed offence.

4. Learned counsel for the applicant submits that subsequently investigation of the State would reveal that the applicant was not posted in any capacity in the alleged period, therefore no criminality can be attached and he may be granted benefit of anticipatory bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the fact that earlier bail application has been dismissed on merits, charge sheet has been filed, I do not find any change of circumstances to reconsider this second bail application.

7. Accordingly, the second anticipatory bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE