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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 560 2018**

Shailendra Sharma, S/o. Satyadev Sharma, Aged About 44 Years, R/o.-
Ward No. 12, Shivaji Chowk, Jamul, P.S. Jamul, District- Durg,
Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through- Station House Officer, Police Station-
Parpodi, District- Bemetara, Chhattisgarh.

---- Respondent

For Applicant	: Mr. P. Chetan Kumar, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/07/2018**

1. Apprehending arrest in connection with Crime No.61/2017, registered at Police Station – Parpodi, District– Bemetara (C.G.) for offence punishable under Section 409, 467, 471/34, 120-B of the Indian Penal Code and Section 4, 6 of C.G. Pashu Parirakshan Adhiniyam and Section 11 of Prevention of Cruelty to Animal Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. It is not denied that he had been the Secretary of the Mayuri Goshala and the Goshala was over crowded with number of cattle has increased and every efforts were made by the Goshala to preserve the cattle admitted in that Goshala. Contents of FIR lodged are totally false, therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that this applicant along with other co-accused persons misappropriated the government grant of Rs.22.00 Lakhs, which was provided to them for fodder and upkeep of the cattle in the Goshala.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. The case against the applicant and another co-accused is this that Dr. A.K. Singh, Deputy Director Veterinary Department has filed a complaint alleging that this applicant and other co-accused persons received a grant of Rs.22.00 Lakhs from the Government, which was misappropriated totally and no expenditure was made for the maintenance, fodder and upkeep of the Goshala. Hence, this case.
6. Considered the submissions made and the contents of the case diary. The nature of allegation made against this applicant and the co-accused persons appears to be vague, which needs to be specified by the prosecution during the course of trial. For the present, since the co-accused persons have been enlarged on bail, who is also similarly placed, hence for this reason, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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

concerned Investigating Officer. The applicant shall also abide by the following conditions :

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

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram