

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 527 of 2018

1. Halalu Ram Nag S/o Late Gadhwaram Nag Aged About 51 Years
Forester, R/o- Sihawan, Post- Kohkameta, Tahsil And Police Station-
Keshkal, District- Kondagaon, Chhattisgarh., District : Kondagaon,
Chhattisgarh
2. Majid Ahmed Khan S/o Late Najir Mohammed Aged About 56 Years
Forest Guard, R/o- Sheetlapara, Tahsil And Police Station- Kanker,
District- North Bastar Kanker, Chhattisgarh., District : Kanker,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police
Station- Keshkal, District- Kondagaon, Chhattisgarh., District :
Kondagaon, Chhattisgarh

---- Respondent

MCRCA No. 540 of 2018

1. Ban Singh Korram S/o Shir Bhulaya Aged About 63 Years Retired
Vanpal, R/o Jamkotpada, Police Station Kondagaon, District
Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh
2. R. P. Nag S/o Late J. S. Nag Aged About 63 Years Retired
Vankshetrapal, Keshkal Post And Police Station Keshkal, District
Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

MCRCA No. 554 of 2018

- Dilip Kumar Netam S/o Late Praeetam Netam Aged About 50 Years
R/o Jamgaon, Tahsil And P. S. Keshkal, Dist. Kondagaon Chhattisgarh,
District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Keshkal, Dist. Kondagaon
Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

MCRCA No. 563 of 2018

1. Shravan Kumar Komra S/o Sukhlal Komra Aged About 45 Years
Vanrakshak, R/o Keshkal, Tahsil And Police Station Keshkal, District
Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh
2. Rustam Vishwakarma S/o Late Banrang Vishwakarma Aged About 27
Years Vanrakshak, R/o Surdongar, Tahsil And Police Station Keshkal,
District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicants

Versus

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

---- Respondent

MCRCA No. 583 of 2018

1. Jagbandhu Markam S/o Shri Sonauram Markam Aged About 50 Years
Forest Guard, Udayanti Sitanadi Forest Range, Village And Police
Station Sihva, District Dhamtari, Chhattisgarh, District : Dhamtari,

Chhattisgarh

2. Sudarshan Chandrawanshi S/o Shri P. S. Channdrawanshi Aged About 51 Years S. D. O. Forest Sub Division Narayanpur, Tahsil And Police Station Narayanpur, District Narayanpur Chhattisgarh, District : Narayanpur, Chhattisgarh

---- Applicants

Versus

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

---- Respondent

MCRCA No. 588 of 2018

- Shankar Lal Mandavi S/o Late Devnath Ram Mandavi Aged About 42 Years R/o Forest Guard, R/o Dhanora, P. S. Dhanora, Dist. Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Keshkal, Dist. Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicants	:	Mr. D.K. Vishwakarma, Advocate in M.Cr.C. (A) No.527/2018. Mr. Ashish Gupta, Advocate in M.Cr.C.(A) No.540/18 & 563/2018. Mr. C.P. Lahare, Advocate in M.Cr.C.(A)No.583/18. Mr. N. Naha Roy, Adv in M.Cr.C. (A) Nos.554/18 & 588.2018.
For Respondent/State:		Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

13/07/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Applicants in all the cases have preferred these applications for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.159/2016 registered at Police Station-Keshkal, District – Kondagaon(C.G.), for the offence punishable under Sections 420, 467, 468, 471/34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. It is further submitted that applicants are employees of Forest Department and they have been falsely implicated in this case. Co-accused persons namely Mashoram Sori and Satish Kumar Dhruve have already been granted anticipatory bail vide order dated 27.3.2018 passed in MCRC(A) No.682 of 2017. Allegation against the present applicants is also similar to that of co-accused persons who have been granted anticipatory bail. Hence, it is prayed that present applicants be also extended with the benefit of protective umbrella under Section 438 of CrPC.
4. Learned State counsel opposes the bail applications and the submissions made in this respect. It is submitted that all the applicants are equally responsible for the defalcation that has been committed in this case, hence, the applications are liable to be rejected.
5. Heard both the parties and perused the case diary.
6. On a complaint being made by one S.K. Tiwari, Representative of one

NGO, an inquiry was conducted by the Anti Corruption Bureau, Raipur and it was found that the forest officials of Keshkal project had prepared forged muster roll in connection with "Hariyali Prasar Yojana". It is alleged that payments have been withdrawn from the concerned department by showing in the muster roll that the labourers have worked in two different places, whereas, infact, the labourers have done the work only at one place and thereby the amount has been misappropriated by the forest Officials. The investigation is still going on.

7. After considering on all the material present in the case diary and also considering the fact that other co-accused persons have already been granted anticipatory bail by this Court, this Court is of the view that present applicants are also entitled for grant of anticipatory bail.
8. Accordingly, the anticipatory bail applications of applicants are allowed and it is directed that in the event of their arrest in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :-
 - (i) that the applicants shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be

prejudicial to fair and expeditious trial; and

- (iv) that the applicants shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha