

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3168 of 2018

- Lalit Kumar Tandon S/o Atmaram Tandon Aged About 31 Years R/o Village Kharwani, Beladula, Tahsil- Jaijaipur, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

MCRCA No. 650 of 2018

1. Rajkumar Chandra @ Raja S/o Chakradhar Singh Chandra Aged About 50 Years R/o Village Hardidih, Tahsil Jaijaipur, P O Kachanda, District Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Dev Singh Chandra S/o Lal Bahadur Chandra Aged About 54 Years R/o Village And P O Beladula, Tahsil And Police Station Jaijaipur, District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jaijaipur, Civil And Revenue District Janjgir Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

MCRCA No. 663 of 2018

- Bharat Kumar Chandra Fattelal Chandra, Aged About 40 Years R/o Village Kachanda, P. S. And Tehsil Jaijaipur, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Jaijaipur, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

MCRCA No. 671 of 2018

- Jageshwar S/o Awadh Ram Chandra, Aged About 40 Years R/o. Village Beladula, P.S. And Tahsil Jaijaipur, District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Jaijaipur, District Jangjr Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants	:	Mr. D.K. Vishwakarma, Advocate in M.Cr.C No.3168 of 2018.
		Mr. B.M. Roy, Advocate in M.Cr.C(A) No.650 of 2018.
		Mr. Ishwar Jaiswal in M.Cr.C(A) No.663 of 2018.
		Mrs. Hamida Siddiqui in M.Cr.C(A) No.671

of 2018.
For Respondent/ State : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

09/07/2018

1. Since the above bail applications are similar in nature and arise out of the same chain of incidents, they are being heard and decided together by this common order.
2. Applicants Rajkumar Chandra @ Raja, Dev Singh in M.Cr.C(A) No.650/2018, applicant-Bharat Kumar Chnadra in MCRC(A) No.663/2018 & applicant-Jageshwar in MCRC(A) No.671/2018 have filed applications seeking anticipatory bail as they apprehend their arrest in connection with Crime No.39/2018 registered at Police Station-Jaijaipur, District-Janjgir-Champa, Chhattisgarh, for the offences punishable under Sections 420, 409, 467, 468 & 120-B Indian Penal Code (for short 'IPC').
3. Applicant Lalit Kumar Tandon has filed M.Cr.C. No.3168/2018 seeking regular bail as he has been arrested in connection with Crime No.39/2018 registered at Police Station-Jaijaipur, District-Janjgir-Champa for the offence punishable under Sections 420,406, 467, 468, & 120-B of the Indian Penal Code (for short 'IPC').
4. Learned counsels for all the applicants submitted that applicants have been falsely implicated in this case. The main allegation is although against Lalit Kumar Tandon in MCRC No.3168/2018 according to the statement given by him before the inquiry Committee, it is clear that he was forced to do so by the rest of the co-accused persons. On behalf of the rest of the applicants it is submitted that they have been implicated in this case only on the basis of the statement given by

main accused Lalit Kumar Tandon. Similarly placed co-accused persons namely-Ramprasad, Ramnath Chandra & Suleman Bhagat have been granted anticipatory bail by this Court. Hence, it is prayed that all the applicants may be benefited with regular/anticipatory bail.

5. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that it is a case of defalcation by manipulation in the Paddy Procurement Centre, which is a public welfare scheme. This kind of crime affects the society at large. Hence, they are not entitled for grant of bail regular/anticipatory.
6. Heard both the parties and perused the case diary.
7. Complainant Rohit Kumar Rathore filed a written complaint, that on inspection made in the Paddy Procurement Centre at Village-Kachanda, he found shortage of 3732.80 quintals of paddy. A Committee was constituted for the inquiry, in which, the applicant Lalit Kumar Tandon in MCRC No.3168/2018 gave a statement before the Committee that he was forced to issue token receipts on the basis of which the purchase price of paddy was withdrawn by the concerned co-accused persons without supplying the paddy to the Paddy Procurement Centre, because of which the shortage has occurred. The allegation against other applicants is similar that they forced the main accused Lalit Kumar Tandon to issue fake token receipts. Hence, this case.
8. Considering on all the material present in the case diary, similarly placed co-accused persons have been granted anticipatory bail by this Court, although it appears that Lalit Kumar Tandon is the main accused but he is in custody since 5.2.2018. Presently after filing a charge-sheet, the case is before the trial Court because of which there

appears to be no requirement of custodial interrogation of the applicants for the purpose of any investigation pending. Hence, I am of this view that this is a fit case where the respective applications filed by the applicants are deserve to be allowed.

9. Accordingly, the anticipatory bail application filed on behalf of applicants Rajkumar Chandra @ Raja, Dev Singh M.Cr.C(A) Nos.650/2018 and applicant Bharat Kumar Chnadra in M.Cr.C(A) No.663/2018 & applicant Jageshwar in M.Cr.C(A) No.671/2018 is allowed and it is directed that in the event of their arrest in connection with the aforesaid offences, they shall be released on bail by the officer arresting them on their executing 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 themselves 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 them by the said Court till disposal of the trial.

10. Bail application filed on behalf of applicant Lalit Kumar Tandon i.e.

M.Cr.C. No.3168/18 is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha