

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 829 of 2018**

- Bajrang Yadav S/o Hiralal Yadav, Aged About 27 Years Caste - Ahir, Occupation - In Charge, Paddy Purchase, R/o Vinayakpur, Post - Manoharpur, Police Station Shankargarh, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through The Police Station Shankargarh, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. S.C. Verma, Advocate.  
For Respondent/State : Mr. Ashok Swarnkar, Panel Lawyer.

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

**24/08/2018**

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.33/2018 registered at Police Station-Shankargarh, District – Balrampur-Ramanujganj(C.G.), for the offence punishable under Sections 409, 34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The shortage of stock that has been found in the inspection was due to the natural causes regarding which this applicant has been erroneously held responsible. If the

applicant is held responsible for the loss to the paddy purchase centre, he is ready to make the payment of the loss suffered by the paddy purchase centre, hence, it is prayed that he may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the inquiry report made by the Committee constituted by Collector, the applicant has been found clearly responsible for the loss to the Paddy Purchase Centre, which clearly shows the offence committed by him. Hence, the application be rejected.
4. Heard the parties and perused the case diary.
5. The case against the applicant is this, that on inspection made in the Adim Jati Sewa Sahkari Samiti Maryadit, Jamdi of which the applicant was incharge a shortage of 1200 bags of rice of total bags of 480 quintals of value of Rs.7,63,200/- was found. Hence, this case.
6. Considered on all the material present in the case diary, which does not show any allegation made by any of the witnesses that the paddy had been been sold to any private party by applicant or any other person of the Paddy Purchase Centre, hence, for this reason, I am of this view that this is a fit case where applicant should be released on anticipatory bail .
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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 them by the said Court till disposal of the trial.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge