

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 988 of 2018**

Shrawan Kumar Painkra, S/o. Shri Netram Painkara, aged about 48 years,
R/o. Village – Poprela, P.S. - Batauli, District – Sarguja (C.G.)

---Applicant**Versus**

State Of Chhattisgarh, Through : Police Station -In-charge, P.S. - Rajpur,
District – Balrampur – Ramanujganj (C.G.)

---- Respondent

For Applicant	: Ms. Soniya Kuldeep, Advocate
For Respondent/State	: Mr. Rahul Tamaskar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****06/09/2018**

1. Apprehending arrest in connection with Crime No.141/2014, registered at Police Station – Rajpur, District – Blarampur (C.G.) for offence punishable under Section 420, 409, 467, 468, 34 of the Indian Penal Code, 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. The applicant is Branch Manager of Jila Sahkari Kendriya Bank Maryadit, Ambikapur. The applicant joined his respective post on 04.01.2014, whereas the incident has taken place in the year 2013-14. In the enquiry conducted by the committee constituted by the Collector, this applicant has been exonerated from all the charge of the

defalcation in this case. Hence, 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.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. The allegation against this applicant is this that in connection with the defalcation made by the co-accused persons, making paddy purchase after inflating the areas of the various farmers, this applicant has helped in opening fraudulent accounts of the co-accused persons in which the amount of defalcation was deposited and disbursed. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and looking to the role for this applicant has been held responsible, 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