

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 1026 of 2018**

- Yogram Lahare S/o Late Shri Bhagauram Lahare Aged About 60 Years  
Block Education Officer, Basna, Tahsil Basna, District- Mahasamund,  
Chhattisgarh. Permanent R/o- Village And Post Kosir, Tahsil  
Sarangarh, District- Raigarh, Chhattisgarh., District : Mahasamund,  
Chhattisgarh

**---- Petitioner**

**Versus**

- State Of Chhattisgarh Through- The Station House Officer, Police  
Station Basna, District- Mahasamund, Chhattisgarh., District :  
Mahasamund, Chhattisgarh

**---- Respondent**

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For Applicant : Mr. B.D. Guru, Advocate.  
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.  
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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order On Board**

**12/09/2018**

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.298/2018 registered at Police Station- Basna, District – Mahasamund (C.G.), for the offence punishable under Section 409 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant is working in the Education Department and presently posted as Block Education Officer, Basna. The allegation that has been made against him in this

case relates to financial irregularities but it cannot be said that the applicant has deliberately embezzled the same. Hence, it is prayed that he may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged that this applicant being the Block Education Officer has used the interest amount of the funds for official expenses and for making purchases for the office, which were actually meant for mid-day meal. A preliminary inquiry was conducted in which the applicant has been found responsible for this financial irregularity
6. After due consideration of entire material present in the case diary and the nature of allegation levelled against the applicant, I am of this view that the applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application of applicant 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 him by the said Court till disposal of the trial.

Sd/-

**(Rajendra Chandra Singh Samant)**

Judge

**Nisha**