

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 682 of 2017

- Meshoram Sori S/o Late Laxminath Sori, Aged About 35 Years, Occupation Service, Forest Guard at Korgaon, Range Baderajpur, Police Station Vishrampur, District Kondagaon Chhattisgarh., Chhattisgarh
- Satish Kumar Dhruve, S/o Late Ram Sevak Dhruve, Aged About 34 Years, Occupation Service, Deputy Ranger Keshkal, Police Station Keshkal, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Officer Incharge Keshkal, District Kondagaon Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicants – Ms. Purnima Singh, Advocate.

For Non-applicant/State – Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-03-2018

1. Apprehending their arrest in connection with Crime No.159/2016, registered at Police Station – Keshkal, District Kondagaon Chhattisgarh for offence punishable under Section 420, 467, 468, 471 read with Section 34 of the IPC, the applicants have preferred this application for grant of anticipatory bail.

2. It is submitted by the learned counsel for the applicants, that the applicants are innocent and they have been falsely implicated in this case. The incident as reported is of between 21-12-2012 to 30-12-2012, alleging that forged muster role were prepared by these applicants. It submitted that both the applicants were not posted in the concerned range of forest at the relevant point of time, hence, they are not responsible for the forged muster role prepared for the labour work. The applicants are public servant and in case of arrest, their career shall be affected. Hence, it is prayed that both the

applicants may be benefited with grant of anticipatory bail.

3. Learned counsel for the non-applicant/State opposes the application and submitted that the payment on the basis of forged muster role was withdrawn in the year 2013 and at that time both the applicants were posted in the same range of forest, hence their responsibility in this case cannot be ruled out. Therefore, no case is made out for grant of anticipatory bail.

4. I have heard the learned counsel for the parties and perused the case diary.

5. A complaint was made by one Shashikant Tiwari on behalf of one NGO to Anti Corruption Bureau Raipur, on that basis investigation was conducted in the case and it was found that forest officials of Keshkal project prepared forged muster role regarding the work of Hariyali Prasar Yojana, in which, some labours were shown to have performed labour work in two different places at the same time period and the payment was withdrawn on that basis, of which, only one payment was given to the concerned labours, whereas, payment for the other work was misappropriated by the forest officials. Investigation is still pending.

6. Considered on the submissions made and contents of the case diary.

7. Considered on the entire material present in the case diary. Specific role of the applicants in this case is yet to be investigated to hold their direct responsibility in this case. For the present, only for the reason that both the applicants are public servant being in service in the forest department of District Kondagaon, I am of this view that both the applicant should be granted anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on executing a

personal bond in sum of Rs.25,000/- with one surety each 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge