

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 40 of 2019

- Prakash Kumar Mahilange S/o P. L. Mahilange, Aged About 33 Years, R/o Adharshila Builders, Near Petrol Pump, Gourela Road, Pendra, Police Station Pendra, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pendra, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri B.P. Singh, Advocate.

For Non-applicant/State – Shri A.N. Bhakta, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-01-2019

1. Apprehending arrest in connection with Crime No.428/2018, registered at Police Station – Pendra, District- Bilaspur, Chhattisgarh for offence punishable under Section 420, 468, 471, 34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant was working as Block Coordinator and he has not prepared any forged document and withdrawn any amount from the bank. The list of beneficiaries prepared by the Data Entry Operator with the help of Awas Mitra is only verified by the Block Coordinator and sent to the CEO, from where the amount is directly credited into the account of beneficiaries, in which, this applicant has not played any role. Therefore, it is prayed that the applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant has played main role in embezzling the Government fund by preparation of forged documents. Therefore, he is not

entitled for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. On the basis of memo of Chief Executive Officer, Janpad Panchayat Pendra, the FIR has been lodged against this applicant and other accused persons regarding embezzling the funds of Pradhan Mantri Awas Yojna on the basis of the enquiry made in this respect. Hence, this case.

6. Perused the enquiry report present in the case diary and according to the statement given by the co-accused persons, this applicant appears to be directly involved in commission of the said offence, therefore, no case is made out for grant of anticipatory bail to this applicant.

7. Accordingly, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge