

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1056 of 2019

- G.P. Pandey S/o Jhumuk Lal Pandey, Aged About 62 Years, Occupation Assistant Project Officer, District Panchayat Bemetara, R/o Village Akoli, Post Devari, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Anti Corruption Bureau, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Awadh Tripathi, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-03-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 04-02-2019 in connection with Crime No.43/2014 registered at P.S. - Anti Corruption Bureau, Raipur, District Raipur, Chhattisgarh for the offence under Section 409, 467, 468, 471, 120 B of the IPC and Section 13(1)(C) and 13(2) of Prevention of Corruption Act.
2. It is submitted on behalf of the applicant that the applicant has himself surrendered before the Court below on 04-02-2019 and thereafter he is in jail. This applicant has complied with the direction of this Court and surrendered before the Court below. The applicant is innocent and has been falsely implicated in this case. No case is made out against him. Similarly, placed co-accused Subhash Chandra Barik and Swet Kumar Yadav have been granted regular bail by this Court. Therefore, it is prayed that this applicant may also be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the case against the applicant, he made withdrawal of Rs.10,65,000/- on the basis of forged bills from the pension funds in association with the co-accused persons and has misappropriated and embezzled the amount so withdrawn.

6. After considering on the material present in the case diary and the fact that similarly placed co-accused persons have been granted regular bail by this Court, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge