

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1066 of 2019**

- Rajkumar Kurre S/o Shri Bhagela Kurre Aged About 32 Years R/o Village Bhuniyapara ,thana Mungeli District Mungeli Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police Station Bemetara Civil And Revenue District Bemetara Chhattisgarh

---- Respondent

For applicant	Mr. Sameer Singh, Adv.
For non-applicant/State	Mr. Vikram Dixit, GA

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****13-3-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court. His first bail application being MCRC No. 8442/2018 was rejected by this Court vide order dated 5-12-2018 looking to the prima facie case against the applicant. His second bail application being MCRC no. 7270/2018 was dismissed as withdrawn vide order dated 9-10-2018.
2. The applicant has been arrested in connection with Crime No. 110/2018 registered in police station Bemetara, Distt. Bemetara (CG) for offence punishable under Section 420/34, IPC.
3. Prosecution story in brief is that some unknown persons manipulated the website of Janpad Panchayat, Bemetara and transferred an amount of Rs. 5,28,000/- of 10 beneficiaries sanctioned under Pradhanmantri Awas Yojna. During investigation, it was found that co-accused Suresh Kumar Banjare had transferred the aforesaid amount in the account of different persons. He had transferred Rs. 48 – 48 thousands in the account of applicant, co-accused Dharmendra Bhardwaj and Kanhaiya Diwakar. Applicant, Bhardwaj and Kanhaiya Diwakar co-accused Dharmendra had given Rs. 10 – 10 thousands to co-accused Suresh Banjare and remaining amount they used for their personal purposes. Co-accused Kanhaiya Diwakar and Dharmendra Bhardwaj deposited the amount in Janpad Panchayat, Bemetara after receiving the notice.

4. Counsel for the applicant submitted that after received the notice from the CEO, Janpad Panchayat, Bemetara, he has deposited Rs. 48,000/- in his own account which is now withheld.
5. As per photocopy of the letter dated 28-1-2019, written by Branch Manager, Bank of India, Bemetara to CEO, Janpad Panchayat, Bemetara, in the account of applicant, Rs. 48,000/- have been deposited by the applicant and this account is withheld. This circumstance itself is sufficient to enlarge the applicant on bail in 3rd round of litigation.
6. Consequently, application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge