

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 608 of 2019**

Omprakash Singh, S/o. Late Shri Bechu Singh, Aged About 56 Years, R/o. Singh Dairy, Bouripara, Ambikapur, Disttict- Surguja, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Superintendent Of Police, Anti Corruption Bureau, Bilaspur, Disttict- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. T.K. Tiwari, Advocate
For Respondent	: Mr. Arun Shukla, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****30/04/2019**

1. Apprehending arrest in connection with Crime No.39/1998, registered at Police Station – ACB, Bilaspur, District – Bilaspur (C.G.) for offence punishable under Section 13 (1) (d), 13(2) of Prevention of Corruption Act and Section 420, 467 read with Section 120(B) of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. The applicant is engaged in the business of supply of cattle and he was the person, who had supplied the cattle as per the scheme against appropriate price. Similarly placed co-accused persons have been enlarged on anticipatory bail by this Court. Therefore, it is prayed that the applicant may also be granted anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the FIR lodged, with respect to the government scheme launched in the year 1994, 13 beneficiaries were supplied with cows under a dairy scheme. It is alleged that cows so supplied was not of good breed and healthy and excessive price were paid for the same causing loss to the State exchequer. Therefore, it is alleged that the concerned officers of veterinary department and cattle businessman obtained undue benefit from this scheme.
6. Considered the submissions made and the contents of the case diary. After considering on all the material present in the case diary and also considering the fact that similarly placed co-accused persons have been benefited with grant of anticipatory bail, hence for this reason, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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 executing a personal bond in 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram