

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3437 of 2019

- Anil Singh S/o Shri Ankeswar Singh, Aged About 38 Years, R/o Village Kanakpur, Police Station Jainagar, Tahsil and District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police of Police Station Jainagar, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh

----Non-applicant

For Applicant – Shri Shashi Bhusan Tiwari, Advocate.

For Non-applicant – Shri Ghanshyam Patel, Govt. Advocate.

Shri Surfaraj Khan, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-07-2019

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 28-04-2019 in connection with Crime No.02/2017, registered at Police Station Jainagar, District Surajpur, Chhattisgarh for offence under Section 419, 420, 467, 468, 120-B, 471 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant is in jail since 28-04-2019. Similarly placed co-accused persons Ramnarayan Rajwade, Anusuiya Bai Gond and Taspeshwar have been granted regular as well anticipatory bail by this Court and coordinate Bench of this Court. The applicant is also similarly placed. Therefore, it is prayed that he may be granted bail.

3. Learned counsel for the non-applicant/State opposes the application submitting that this applicant has played main role in the commission of

offence, therefore, his application may be rejected.

4. Learned counsel for the objector adopts the argument advanced by the State counsel and submits that the applicant is the main accused in this case under whose instruction and supervision the other co-accused persons have performed and committed offence and further the applicant is a person who is real beneficiary of the defalcated amount. Hence, his application may be rejected.

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

6. According to the prosecution case, it is alleged that forged muster role were prepared for drawing remuneration for labourers and the same was misappropriated without making any payment to the said labourers. Hence, this case.

7. After considering on the entire material present in the case diary and for the reason that the case is now pending before the trial Court and that similarly placed co-accused persons are enlarged on bail, I feel inclined to allow this application.

8. 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.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge