

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1392 of 2019

- Ramphal Lanjhi S/o Shri Sahas Ram Lanjhi Aged About 56 Years Occupation Secretary Gram Panchayat Birkona, Additional In Charge Of Gram Panchayat Sukhtal, Resident Of Village Bodhaikunda, Chouki Pondi District- Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Kawardha, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ashok Verma, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

20/11/2019

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 350/2019, registered at Police Station Kawardha, Distt. Kabirdham (C.G.) for the offence punishable under Sections 420, 409, 467, 468, 469 & 120 (B) R/w Section 34 of the IPC.
2. In this case there are total two accused persons. As per prosecution story, at the relevant time, the applicant was the Secretary of Gram Panchayat Village Shukhtaal. In the year 2015, Rs. 69 Lakhs were allotted to Gram Panchayat Shukhtaal for construction of toilets. Allegations against the applicant and other co-accused person is that they prepared forged documents showing the material supply again in favour of 86 beneficiaries. Further, some people of other villages have been shown as the resident of Village Shukhtaal and on account of construction of toilet on their names, the fund has been embezzled. It is further alleged that

forged entries have also been made in the master-roll and the names of other people have been misused. Even the entries of two people, who had already died, have been entered in the said master-roll, and thereby committed crime in question.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant being a Secretary of Panchayat Village Shukhtaal was bound to sign in the documents. He further submits that the matter was inquired by SDM and it was found by him that co-accused Puniya Bai is only the person who responsible for the same alleged Act and it was recommended by the SDM that only departmental inquiry can be initiate against the present applicant. Thus, no case can be made out against the applicant, therefore, he may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties, particularly evidence collected by the prosecution, it reveals that there is sufficient evidence available on record with regard to the alleged offence against the applicant. Without further commenting on other merits of the case, in my considered opinion, it is not a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Arvind Singh Chandel)
Judge