

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5608 of 2019

- Govind Ram Sahu, S/o Shri Pardeshi Ram Sahu, Aged About 50 Years, R/o Village Dhaneli, Police Station & Tahsil Gurur, District-Balod Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Gurur, District-Balod, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate.
For Respondent	:	Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/10/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.149/2019 registered at Police Station–Gurur, District– Balod(C.G.) for the offence punishable under Sections 406, 409, 420, 188/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since, 31.07.2019. This applicant is the President of Sewa Sahkari Samiti,

Dhaneli. There had been a contract between the applicant and the Contractor Loknath Nishad regarding the purchase of paddy and other activities, therefore, it was the responsibility of the Contractor to take care of the same. The allegation that the purchase of paddy was made at lesser than the support price declared by the government by itself shows that there is no loss to the State Exchequer. The investigation is nearing completion and there is no requirement of further detention of this applicant, therefore, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is evidence present that this applicant was in-charge of the paddy purchase, who without any documentation made purchase of paddy at a price lower than the support price and has sold the same to the miller, therefore, the application be rejected.
4. Heard both the parties and perused the case diary.
5. FIR has been lodged that President of Sewa Sahkari Samiti, Dhaneli Contractor and Manager in-collaboration made embezzlement of 600 bags of paddy which were purchased for the center by making payment of lesser than support price from farmers then the same was sold to one miller. Hence, this case.
6. Considering that the investigation is near completion and there is no requirement of further detention of the applicant, therefore, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in

the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha