

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 221 of 2020**

- Khilendra Patra S/o Late Gokul Patra Aged About 33 Years Resident Of Dnk Colony, Kondagaon, District Kondagaon Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Dhaudai District Narayanpur.

---- Respondent

For Applicant.	:	Mr. Sandeep Shrivastava, Advocate.
For Respondent/State	:	Mr. Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.02.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 3/2019 registered at Police Station : Dhaudai, District Narayanpur (C.G.) for the offence punishable under Sections 420, 467, 468, 409, 34 of the IPC.
2. Prosecution story in brief is that on a complaint being made by the labourers, engaged by co-accused Pawan Kumar Ratre in the construction work of 50 bed Girl Ashram Building in village Kanhaar, alleging that they have not been paid their wages. An enquiry was conducted and it has been found that said Pawan Kumar

Ratre in collusion with present applicant and others committed fraud with the labourers and they have misappropriated the amount by forging signatures of labourers engaged in the said construction work. Based on that, after investigation, offence has been registered against the applicant and he has been arrested.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the main allegations are against Pawan Kumar Ratre. The co-accused person namely Laxman Singh Kashyap has already been granted anticipatory bail by this Court on 31.01.2020 in MCRCA No. 2098/2019. He also submits that applicant is in jail since 12.12.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.
4. On the other hand, State counsel strongly opposes the bail application.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, particularly the fact that the co-accused person namely Laxman Singh Kashyap has already been granted anticipatory bail by this Court as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the

applicant on bail. Accordingly, the application is allowed.

7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu