

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 954 of 2020**

- A.K. Panda S/o Late Sukhdev Panda, aged about 59 years, R/o Sambalpur, P.S. Bhanupratapur, District Kanker, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Urandabeda, District Kondagaon Chhattisgarh.

---- Respondent

For Applicant. : Mr. Awadh Tripathi, Advocate.
 For Respondent/State : Mr. Vinod Kumar Tekam, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.02.2020**

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. 01/2019 registered at Police Station : Urandabeda, District Kondagaon (C.G.) for the offence punishable under Sections 420, 467, 468, 34 of IPC.
2. The prosecution story in brief is that the accused namely Surjit, Tapa, and Suraj have committed cheating for an amount of Rs. 40,70,000/- in the grab of providing drip irrigation to the agriculturists in different villages and for that purpose they have prepared the estimation by increasing the amount in the drip irrigation and accordingly committed the cheating with the formers. After the 161 Cr.P.C. statement of B.L. Sonteki the name of the present applicant has been

added and, after completion of 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 in the enquiry report nothing has been mentioned against the present applicant. He has been added in the crime in question only on the basis of the 161 Cr.P.C. statement of one, B.L. Sonteke, Gardening Development Officer. He also submits that the charge-sheet has been filed and the applicant is in jail since 13.01.2020 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 opposes the bail application submitting that the applicant himself has passed the estimation and there is his signature on the estimation, which shows the involvement of the applicant in the crime in question, therefore, he may not be granted bail
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, nature and gravity of the offence, the detention period of the applicant, as charge-sheet has been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.

8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

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

Vijay Sahu