

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 381 of 2020

1. Jagritdas S/o Shri Indarman Banjare Aged About 40 Years R/o Village Putpura, P.S. Nandghat, District- Bemetara Chhattisgarh
2. Mahendra Verma S/o Shri Patiram Verma Aged About 51 Years Panchayat Secretary, Rampura, Block Nawagarh, District Bemetara Chhattisgarh. R/o Village Kheda, Tahsil Nawagarh, P.S. Nandghat, District- Bemetara Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Nandghat, District- Bemetara Chhattisgarh

---- Respondent

For Applicant	:	Mr. R.S. Patel, Advocate.
For Respondent/State	:	Ms. Fouzia Mirza, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

23/06/2020

Heard.

1. The applicants are apprehending their arrest in connection with Crime No.26/2020 registered at police station–Nandghat, District- Bemetara (C.G.) for alleged commission of offence under Section 409, 420, 467, 468, 471, 120-B/34 of the Indian Penal Code, 1860.

2. Prosecution case is that the applicants are involved in preparation of fake muster roll, opening of fake accounts in the name of certain persons as labourers as those 32 so-called labourers never worked, their names were falsely registered in the muster roll accounts. Fake accounts were created and in this manner Rs.1,39,392/- of public money was siphoned.

3. Learned counsel for the applicants would submit that the applicants are innocent. The Sarpanch and secretary have nothing to do with preparation of muster roll. He submits that muster roll is issued by the Programme Officer and muster roll is required to be filled up by Gram Rojgar Sahayak as per MGNREGA Act guidelines of 2013. He submits that incident is said to be of

year 2013 in which criminal complaint was filed before the Magistrate which was dismissed. Thereafter, upon revision filed, the Revisional Court remanded the case to the Magistrate and thereafter, Magistrate sent matter to the police for inquiry and then police registered FIR against the present applicants. Learned counsel for the applicants further submits that present is a case arising out of political motive.

4. On the other hand, learned counsel for the State opposes and submits that the fake muster roll in respect of 32 persons have been duly checked and certified by the present applicants in their capacity of Sarpach and secretary of concerned Gram Panchayat. It is further submitted that those in whose name muster roll are prepared have stated that so-called 32 labourers had never worked.

5. Having considered the submissions of learned counsel for the parties, present is not a fit case for grant of anticipatory bail. The bail application is accordingly rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Ravi