

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4458 of 2020

- Chandrashekhar, S/o. Chandra Preetam Singh Bhaina, Aged about 30 years, R/o. Village Khardi, Police Station Pendra, District Gourela-Pendra-Marwahi, CG
- Santosh Son of Radhelal, Aged about 35 years, Resident of Village Basantpur, Police Station Pendra, District Gourela-Pendra-Marwahi, CG

---- Applicants

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Pendra, district Gourela-Pendra-Marwahi CG

---- Respondent

For Applicants : Shri Anil S.Pandey, Advocate
For Respondent /State : Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/08/2020

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 428/2018 registered at police station Pendra District Gourela-Pendra-Marwahi (CG) for the offence punishable under Sections 420,468 and 471/34 IPC.

As per prosecution case, the applicants and co-accused have defrauded by linking the account number of the co-accused under the Awas Mirta Yojna in the fake name including dead persons for getting the benefit of the scheme “Pradhanmantri Gramin Awas Yojna”. It is

alleged that on the basis of forged and fabricated documents, he got the amount sanctioned.

Counsel for the applicants submits that the applicants have been falsely implicated in the case. He submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 2143/2020 vide order dated 29.05.2020 and therefore the present applicants may also be granted the benefit. He submits that the applicants are in jail since 27.06.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore they may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicants furnishing a personal bond in the sum of Rs. 50,000/- with one surety each for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge