

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2154 of 2019

1. Sheikh Abdul Mannan S/o Sheikh Suleman Aged About 52 Years  
R/o Village And Tahsil Kota, District South Bastar Sukma  
Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police  
Station Errabor, District Sukma, South Bastar Sukma  
Chhattisgarh.

---- Respondent

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For Applicant                      Mr. Faisal Akhtar, Advocate

For Respondent /State        Mr. Ravish Verma, Dy. Adv. General

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**Proceedings through Video Conferencing**

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

14/7/2020

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.17/2019, registered at Police Station Errabor, District Sukma, for offence punishable under Section 420, 465, 468 & 471 of the Indian Penal Code.
2. As per the prosecution case the applicant was working as Secretary of Gram Panchayat Mulakisoli. During the subject period he withdrew Gram Panchayat fund to the tune of Rs.14,35,725/- by forging the signatures of Sarpanch namely; Soyam Marko.
3. Learned counsel for the applicant would submit that the villagers wanted to get posting of some other Secretary, therefore, false

complaint has been lodged against the applicant. Learned counsel would further submit that the Sarpanch has embezzled the amount, but the liability is fastened on the applicant.

4. On the other hand, learned counsel for the State would oppose the bail application.
5. Case diary contains the preliminary report signed by three member enquiry committee who have, *prima facie*, found that the cheques were never signed by the Sarpanch and her signature was forged. Diary statement of Sarpanch Soyam Marko would clearly allege that she became aware about the withdrawal of amount when Janapd Panchayat, Konta, served upon her a demand notice for returning an amount of Rs.15.00 lacs as different works, for which the amount was disbursed, have never been performed. The Sarpanch informed the enquiry team as well as the police that except for signing one cheque way back in 2014 she has never signed any other cheque. The forged cheques have been seized from the Bank and on verification the Sarpanch clearly stated that the signatures have not been appended by her.
6. There being *prima facie* material against the applicant of committing forgery and misappropriation, this Court is not inclined to extend the benefit of Section 438 of the Cr.P.C. to the applicant.
7. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)  
Judge

Gowri