

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through video conferencing****MCRCA No. 178 of 2021**

- Omprakash Patel S/o Shri Janardhan Patel Aged About 31 Years R/o Village Chandan, Thana Rajadeori, District Balodabazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through The Station House Officer, Police Station Rajadeori, District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

MCRCA No. 281 of 2021

- Sushil Patel S/o Shri Goverdhan Patel Aged About 48 Years R/o Village Devrum, Thana Rajadeori, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicant

Versus

- The State of Chhattisgarh Through The Station House Officer, Police Station Rajadeori, District Baloda Bazar-Bhatapara Chhattisgarh

---- Respondent

For Applicants	-	Shri Sunil Sahu, Advocate.
For Respondent/State	-	Shri Vimlesh Vajpayee, Government Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra, Ag. Chief Justice
Order On Board

02/07/2021

1. Since both the bail applications are arising out of same crime number i.e. 51/2019 they are being considered and decided by this common order.

2. The present applicants have preferred these **second bail applications for grant of anticipatory bail**, as they apprehend their arrest in connection with Crime No.51/2019, registered at Police Station Rajadeori, District Balodabajar-Bhatapara (CG) for offence punishable under Section 120 (B), 320, 467, 468, 471 of the Indian Penal Code.
3. The first bail application of the applicants has been dismissed as withdrawn with liberty to file the same before the Sessions Judge.
4. Applicant Omprakash Patel in MCRCA No.178/2021 along with co-accused/ applicant Sushil Kumar Patel in MCRCA No. 281 of 2021, President of the Krishi Shaakh Samiti; Fagulal Bariha, Manager; Mithlesh Nayak, Kendra Prabhari, Golajhar and Suresh Kumar Nayak, Computer Operator, Dewri Nagedi have interpolated the Rin Pustika of 32 farmers to purchase inflated quantity of paddy thereby caused loss to the tune of Rs.1,25,00,000/- in the year 2012-13 and Rs.1,41,00,000/- in the year 2013-14.
5. Admittedly, co-accused Mithlesh Nayak has already been released on anticipatory bail in MCRCA No.696/2020 and Suresh Nayak has been released on anticipatory bail in MCRCA No.95 of 2021.
6. In view of release of similarly placed co-accused persons on anticipatory bail, the applicants are also entitled to release on anticipatory bail.
7. Accordingly, both the applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- they shall make themselves available for interrogation by a police officer as and when required;
- they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
- they shall not influence the witnesses during pendency of the trial.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

Amardeep