

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 273 of 2021**

- Kishan Yadav S/o Derharam Yadav Aged About 29 Years Private Computer Operator, R/o Village- Mastur, Police Station- Masturi, District- Bilaspur, Chhattisgarh. (Age 39 Years Wrongly Mentioned In Order Sheet, Actual Age Of Applicant Is 29 Years), District : Bilaspur, Chhattisgarh

---- applicant

Versus

- State Of Chhattisgarh Through Police Station Masturi, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

MCRCA No. 336 of 2021

- Hemant Patel And Anr. S/o Shri Ramratan Patel Aged About 40 Years R/o Kaiwartya Para Village Karra Tahsil Masturi District Bilaspur Chhattisgarh
- Rajkumar Rathore S/o Amarnath Rathore Aged About 46 Years R/o Village Gatoura Tahsil Masturi District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Masturi District Bilaspur Chhattisgarh

---- Respondent

MCRCA No. 337 of 2021

- Smt. Priya Amle W/o Tikesh Yadav Aged About 33 Years R/o Vaishnawi Vihar Near Ram Krishna Store Uslapur District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Masturi District Bilaspur Chhattisgarh

---- Respondent

MCRCA No. 338 of 2021

- Om Prakash Rathore And Anr. S/o Shri Runuram Rathore Aged About 38 Years R/o Village Limtara Darrighat Tahsil Masturi District Bilaspur Chhattisgarh
- Dharmendra Pandu S/o Shri Chaitram Pandu Aged About 42 Years R/o Village Bhadoura Jairamnagar Tahsil Masturi District Bilaspur Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Masturi District Bilaspur Chhattisgarh

---- Respondent

MCRCA No. 389 of 2021

- Chandramani Rathore S/o Bhulauram Rathore Aged About 48 Years Occupation Contractor Meter Reading And Bill Distribution (Village Kirari And Limtara), R/o Village Limtara , Police Station Masturi, District Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Masturi, District Bilaspur Chhattisgarh.

---- Respondent

For Applicants : Shri Rohitashva Singh, Shri Somnath Verma, Smt.Seema Singh and Shri Achyut Tiwari, counsel for the respective parties.

For Respondent/State : Shri B.P.Banjare, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board By Virtual Hearing

18/06/2021

As all these M.Cr.Cs. arise out of the same crime number, they are being disposed of by this common order.

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.46/2021 registered at Police Station Masturi, district Bilaspur (CG) for the offence punishable under Sections 409 and 420 IPC.

Case of the prosecution in brief is that the applicants (except the applicant in M.Cr.C.A No. 337/2021), who are working as agents, used to collect the amount for electricity bills from the consumers and handed over to the applicant Priya Amle who is a Junior Engineer in the Electricity Department. It is alleged that the amount which was collected from the consumers towards the bills was not deposited and has misappropriated with the entrusted property.

Contention of the counsels for the applicants is that the applicants have been falsely implicated in the present case. It is submitted that the applicants are not the beneficiaries and they are working on contract basis for collecting the money in the absence of the Junior Engineer posted over there and later on, said amount was handed over to the concerned officer. It is therefore submitted by the counsel for the applicants that as the investigation will take time and in the present circumstances of Covid-19, they may be granted bail.

Counsel for the applicant in M.Cr.C.A. No. 337/2021 submits that the applicant is a lady, carrying pregnancy of nine months; also having a six years old child and that in the present circumstances of

the pandemic Covid-19, the investigation will take time and therefore she may be granted bail.

On the other hand, learned counsel for the State opposes the bail applications.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicants, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the applications are allowed and it is directed that in the event of arrest of the applicants' in connection with the aforesaid offence, they shall be released on bail on their executing a personal bond in sum of Rs. 25,000/- each with one surety to the satisfaction of the trial Court. The applicants shall also abide by the following conditions :

(i) that 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 them from disclosing such facts to the Court or any police officer;

(ii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iii) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge