

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 568 of 2021**

- Ashok Kumar Chandra S/o Khageshwar Singh Chandra Aged 52 Years Samiti Sevak Sahkari Seva Samiti Maryadit Ulkhar, P. S. Saraangarh District Raigarh Chhattisgarh R/o Village Bade Gantuli P. S. Kosir Tehsil Sarangarh District Raigarh Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through District Magistrate, Raigarh, Chhattisgarh

---- Respondent

For Applicant	Mr. SN Nande, Advocate
For Respondent/State	Mr. Vikram Sharma, Dy. GA

Proceedings through Video Conferencing**SB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJ****Order On Board****7/7/2021**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.677/2020 registered at Police Station Sarangarh, District Raigarh (CG) for the offence punishable under Sections 409, 419, 420, 467, 468, 471/34 of the IPC.

3. As per the prosecution case, in the Cooperative Society namely Sewa Sahkari Samiti Maryadit, Ulkhar, misappropriation/embezzlement of paddy to the tune of Rs.2.99 crores occurred in the year 2019-2020. In all, six accused persons namely Raju Nishad, Damrudhar Chandra, Bharat Lal Sahu, Shiv Kumar Sahu and present applicant Ashok Kumar Chandra, have been implicated in the crime.
4. Admittedly, co-accused Raju Nishad and Damrudhar Chandra have been enlarged on regular bail in MCRC Nos.9317/2020 and 9229/2020 respectively. Similarly, co-accused Bharat Lal Sahu and Shiv Kumar Sahu have been enlarged on anticipatory bail in MCRCA Nos.47/2021 and 1801/2020 respectively.
5. Learned counsel for the State would submit that the present applicant was the senior most responsible officer of the Society being the Manager of the Society and therefore, his role would be greater than the other accused persons, who were holding inferior post.
6. Considering that the allegations against all the applicants are more or less common and similar and two accused persons have already been enlarged on anticipatory bail, I am inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant also.
7. Accordingly, the application is **allowed** and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond for a sum of

Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions :-

- (i) he shall make himself available for interrogation by a Police Officer as and when required;
- (ii) he 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 for disclosing such facts to the Court or to any Police Officer.
- (iii) he shall not influence the witnesses during pendency of the trial.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice