

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3241 of 2021**

Ramchandra Kushwaha S/o Chhotan Kushwaha Aged About 53 Years R/o Village Harigawan, Police Station Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh. **... Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police Station Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh. **---- Respondent**

For the applicant	:	Mr. Akath Kumar Yadav, Advocate.
For the State	:	Mr. Gagan Tiwqari, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****02.07.2021**

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 62/2020 registered at Police Station Raghunath Nagar, Distt. Balrampur (C.G) for the offences punishable under Sections 409, 420, 467, 468, 471 read with Section 34 of Indian Penal Code. The first bail application was rejected on 10.12.2020 on merits and the second one was dismissed as withdrawn on 05.02.2021.
2. As per the prosecution case, as many as 422 toilets were sanctioned to be constructed in the year 1017-2018. After sometime when an inspection was made, it was found that only 70 toilets were complete and the rest were not completed.
3. Learned counsel for the applicant submits that the

complainant has yet been examined and nothing has been attributed against the applicant, therefore, no evidence is available to connect the applicant with the crime in question. He further submits that the applicant is in jail since 25.07.2020, charge sheet has been filed and no further investigation is necessary in this case, therefore, the applicant may be enlarged on bail at this stage.

4. Per contra, learned State Counsel opposes the bail application.
 5. Considering the fact that the applicant is in jail 25.07.2020; offences are triable by the Magistrate and no further investigation is necessary in this case, without any further observation on merits of the case as to the evidence, I am inclined to allow this bail application.
 6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**