

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceeding through video conferencing****MCRC No. 3791 of 2021**

1. Lakheshwar Chandra S/o Pratap Chandra, Aged About 41 Years R/o. Village Salaunikala (Fad Prabhari Gram Nagarda), Police Station And Tahsil Bilaigarh, District Balodabazar - Bhatapara Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant	-	Shri Anil Gulati, Advocate.
For Respondent/State	-	Shri Chandresh Shrivastava, Dy. Advocate General.

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

30-07-2021

1. Heard.
2. The applicant has preferred the first bail application under Section 439 of the Cr.P.C., as he has been arrested in connection with Crime No.207/2020, registered at Police Station – Bilaigarh, District-Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 408 & 409 r/w Section 34 of the Indian Penal Code.
3. Applicant Lakheshwar Chandra is the Fad Prabhari of Prathmik Krishi Sakh Sahakari Samiti Maryadit, Salounikala, District Baloda Bazar-Bhatapara. Co-accused Bharat Kumar Chandrakar is the Society Manager of the said Primary Society. During paddy procurement season 2019-20 the society purchased 84164.80 quintals of paddy of

which 78623.04 quintals were transported to millers and collection centers and the remaining quantity of 5541.76 quintals should have remained in the society, but during physical verification no paddy was found in the society and thus the applicant along with co-accused have committed misappropriation of Rs.1,38,54,400/- (approx.). The FIR was lodged after an enquiry was made under the orders of Collector, Baloda Bazar-Bhatapara.

4. As per the material available in the case diary, the enquiry committee constituted by the Collector, Baloda Bazar-Bhatapara, conducted physical inspection and submitted report on 30-9-2020, which formed the basis for lodging the FIR on 26-10-2020. The subject quantity of paddy was found short/deficit and the applicant failed to satisfactorily explain the whopping shortage of paddy amounting to Rs.1,38,54,400/- (approx.).
5. Considering the hefty amount involved in misappropriation, I am not inclined to release the applicant on bail at this stage. However, reserving liberty in favour of the applicant to revive the prayer for grant of bail at an appropriate stage.
6. Accordingly, the present bail application of the applicant is rejected with the liberty aforesaid.

SD/-

(Prashant Kumar Mishra)
Acting Chief Justice

Gowri