

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1616 of 2020**

- Sukman Negi S/o Late Shri Dhansai Negi Aged About 51 Years R/o Kanjipani, P.S. Chhindgarh, District Sukma Chhattisgarh At Present Accountant Lamps Chhindgarh District Sukma Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer Police Chhindgarh, District Sukma Chhattisgarh., District : Sukma, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Rajkumari Yadav, Advocate.
For Respondent	:	Shri Ishwari Ghritlahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.03.2021**

1. The accused/applicant has moved this first bail application under Section 438 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 13/2020 registered at Police Station-Chhindgarh, District Sukma, (C.G.) for the offence punishable under Sections 409/34 of the IPC.
2. The prosecution story, in brief is that, the applicant is accountant and incharge of peddy procurement center Chhindgarh for Kharif year 2019-20. Peddy procurement was started on 01.12.2019. During this period, at Lamps Chhindgarh total 68,623.60 Qu. peddy was procured. On 18.05.2020, on the instruction of Collector Sukma, the Assistant Food Officer has inspected and verified the stack of Lamps Chhindgarh, and it was found that 1951.06 Qu. peddy was not available at the spot. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that similarly situated co-accused person has already been granted anticipatory bail by this Court vide order dated 24.09.2020 passed in MCRCA No. 1042 of 2020, therefore, the present applicant may also be granted the benefit of anticipatory bail.

4. On the other hand, counsel for the State opposes the application for anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Having considered the order passed by this Court in MCRCA No.1042 of 2020, looking to the nature of allegation against the applicant, which is similar to that of the co-accused person, this Court is inclined to released the applicant on anticipatory bail.
7. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the arresting / investigating Officer or the Court-concerned, as the case may be, with the following conditions:-
 - (i) that the applicant shall make himself available for investigation/medical examination before the concerned investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**