

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1645 of 2020**

- R. Prasad Rao S/o Shri Satyanarayan Aged About 57 Years
R/o Village Arrabor, Tahsil Konta, Revenue District Sukama
Chhattisgarh And Civil District South Bastar Dantewada
Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station Gadiras, Revenue District Sukama
Chhattisgarh And Civil District South Bastar Dantewada
Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. Paras Mani Shriwas, Advocate
For Respondent-State	:-	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**21/01/2021**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.06/2020, registered at Police Station Gadiras District Sukama C.G. for offence punishable under Section 409/34 of the I.P.C. and Section 3, 7 of the Essential Commodities Act, 1955.
2. As per the prosecution case, during paddy procurement season in the year 2019-2020, the applicant was working as

the Samiti Prabandak whereas co-accused Harish Sethiya was working as the Phad Prabhari -cum- Operator in the primary society, Gadiras District Sukma. During the said procurement season, a total quantity of 25249.40 quintal of paddy was purchased at the procurement centre Gadiras out of which 24520 quintal was transported for custom milling. Thus, 729.40 quintal of paddy remained in the centre but on physical verification, the said quantity of paddy was not found though entry in the computer system was available.

3. It is argued that the applicant was transferred from Errabor to Gadiras, however, he was never allowed to join at Gadiras, therefore, the responsibility or liability cannot be fastened on him. It is also argued that co-accused Harish Sethiya has been released on anticipatory bail in MCRCA No.1043 of 2020.
4. Considering the material available in the case diary, the arguments advanced by learned counsel for the applicant and release of the co-accused Harish Sethiya on anticipatory bail by the Co-ordinate Bench of this Court, I am inclined to release the present applicant on anticipatory bail.
5. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on executing 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 from disclosing such facts to the Court or to any police officer;
- (iii) the applicant shall not influence the witnesses during pendency of the trial.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi