

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2143 of 2020**

- Anoop Singh Sendram S/o Sumer Singh, aged about 24 years, R/o village Tillora, Tehsil and Thana - Pendra, District Gaurella Pendra Marwahi (C.G.)

**---- Petitioner****Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Pendra, District Gaurella Pendra Marwahi (C.G.)

**---- Respondent**


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| For Applicant  | : | Shri Achyut Tiwari, Advocate |
| For Respondent | : | Shri Ayaz Naved, G.A.        |

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**Hon'ble Smt Justice Rajani Dubey****Order on Board****29/05/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.428/2018, registered at Police Station - Pendra, District Bilaspur (C.G.) for the offence punishable under Sections 420, 468, 471, 34 IPC.
2. The allegation against the present applicant is that he being the "*Awas Mitra*" linked the account number of his father for getting the benefit of *Pradhanmantri Gramin Awas Yojna*" in place of one of the beneficiary namely Umashankar, who had already died prior to four years of the incident and got the money deposited in his father's account and thereby committed cheating. Based on this, the offence has been registered against the applicant. The applicant has been taken into custody on 14.02.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant being a '*Awas Mitra*' of *gram panchayat Tirola*, does not have any access or any

involvement in the financial work of the related department or in bank. He also submits that according to the report of police, not a single penny has been transferred in the personal account of the present applicant. He also submits that the applicant is in custody since 14.02.2020 and there is no likelihood of his case being decided in near future. Therefore, he may also be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence, quality of evidence and further considering the fact that the present applicant is in custody since 14.02.2020 and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then

he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Pekde

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