

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 468 of 2020**

- Bhupendra Kumar Yadav S/o Mohar Ram Yadav Aged About 35 Years R/o Village - Gariyadohar, Police Station - Kansabel, District - Jashpur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - Station House Officer, Police Station Kansabel, District - Jashpur, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Manoj Chauhan, Advocate
For Respondent-State	:-	Mr. Alok Bakshi, Addl. A.G.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**30/06/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.15/2020, registered at Police Station Kansabel District – Jashpur, C.G. for offences punishable under Sections 420, 409, 34 of the I.P.C.
2. On receipt of complaint by the villagers of Gram Panchayat,

Dokda block Kansabel, District Jashpur, the Commissioner, Surguja division constituted an enquiry committee who submitted a report alleging misappropriation of Panchayat fund to the tune of ₹ 70,32,000/- in relation to construction of toilets; non payment of wages to the MGNREGA workers; non supply of dustbins and street lights. The committee eventually found that a sum of ₹ 34,38,061/- for toilet work; ₹ 60,000/- for dustbins and further amount of ₹ 3,55,950/- is to be recovered from the present applicant and co-accused Smt. Chandrakala Bhagat and Jageshwar Das.

3. It is argued that present applicant joined as the Panchayat Secretary of the concerned Gram Panchayat in March, 2018 whereas the work in respect of which the enquiry was conducted, was performed before the said date.
4. The FIR in the present case has been registered on 29.02.2020. The enquiry was ordered on 17.12.2019 and the report was submitted within 15 days thereafter. Thus, the applicant has been working as the Panchayat Secretary of the concerned village from March, 2018 to December, 2019 when the enquiry was conducted. It is not the case where the entire period under enquiry was the period when the applicant was not posted as the Panchayat Secretary.
5. I have heard learned counsel for the parties and considered

their submissions and gone through the record.

6. Considering the enquiry report finding misappropriation in execution of different Panchayat work, this Court is not inclined to extend the benefit of anticipatory bail. Accordingly, the application is rejected.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi