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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1445 of 2022**

1. Shantilata Yadav D/o Santosh Aged About 35 Years Occupation Phad Prabhari Aadim Jati Sewa Sahkari Samiti Rajpur, R/o Vill. Kerabahar, Jhagarpur P.S. And Tehsil Lailunga, District : Raigarh, Chhattisgarh
2. Trilochan Behara S/o Parmanand Behara Aged About 52 Years Occupation Sahayak Prabandhak Aadim Jati Sewa Sahkari Samiti Rajpur, R/o Vill. Khar Post Keshla, P.S. And Tehsil Lailunga, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Lailunga, District : Raigarh, Chhattisgarh

---- Non-Applicant

For Applicant : Shri Sanjay Agrawal, Advocate.
 For Non-Applicant : Shri BP Banjare, Deputy GA.

Hon'ble Shri Deepak Kumar Tiwari, J**Order On Board****31/12/2022**

1. The applicants have preferred this application for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.266/2022, registered at Police Station Lailunga, District Raigarh for offence punishable under Section 420, 409, 34 of the IPC.
2. At the outset, learned counsel for the applicants submits that he is not pressing the present bail application in respect of applicant No.1

Shantilata Yadav, as the applicant has already been arrested.

3. It is accordingly dismissed as not pressed.
4. Prosecution case is that in the year 2021-22, the present applicant along with other co-accused namely, Shantilata Yadav and Computer Operator Rudresh Kumar Sao have not complied with the paddy procurement policy and extended the Rakba of the cultivators and thereby caused loss to the exchequer. On the basis of enquiry report conducted by the Committee, offence under Sections 420, 409, 34 of the IPC has been registered.
5. Learned counsel for the applicant would submit that the present applicant was not involved in the said crime and in the enquiry report also, he has not been named and no irregularity has been committed by him. Computer Operator namely, Rudresh Kumar Sao was held responsible for the said purchase of the paddy. Therefore, the applicant may be released on anticipatory bail.
6. On the other hand, learned State Counsel would oppose the prayer for grant of anticipatory bail. However, he fairly submits that in the enquiry report submitted by the Committee, the name of the present applicant is not mentioned.
7. Having considered the submissions, particularly considering the nature of accusations, without further commenting anything on the merits of the case, this Court is inclined to release the applicant No.2 – Trilochan Behera on anticipatory bail.

8. Accordingly, the application in respect of applicant No.2 – Trilochan Behara is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

(i) he shall not influence the witnesses during trial.

(ii) he shall make himself available for interrogation by a police officer as and when required;

(iii) 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.

CC today.

Sd/-
(Deepak Kumar Tiwari)
Vacation Judge

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