

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No.1071 of 2015

Smt. Suman Singh, aged about 42 years, wife of Vijay Pratap Singh,
by occupation House wife, resident of village Sonpur, Thana
Bhaiyathan, Civil and Revenue District Surajpur --- **Applicant**

Versus

State of Chhattisgarh through Police Station Surajpur, District
Surajpur (C.G) --- **Respondent**

For the applicant : Mr. Parag Kotecha, Advocate

For the Respondent : Mr. Satish Gupta, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.11.2015

1. Apprehending arrest in connection with Crime No. 263 of 2015 registered at Police Station Surajpur District Surajpur (C.G) for the offences punishable under Sections 420, 467, 468, 471 and 120-B IPC read with sections 13(1(d), 13(2) of Prevention of Corruption Act. the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, applicant Smt. Suman Singh alongwith other co-accused was part of the Selection Committee for recruitment to the post of Shiksha Karmis. It is alleged that in the year 2007 some persons were selected and appointed as Shiksha Karmis and thereafter large number of complaints were received against the accused as the ineligible candidates were selected and given appointments without there being any requisite qualifications/ documents. Hence the offence under the aforesaid sections have been registered against the present applicant and other co-accused.
3. Learned counsel for the applicant submits that the Evaluation Committee makes the report and gives the number and on the basis of rules of Panchayat Shikshakarmis (Recruitment and Conditions of Services) Rules 1997, the Selection Committee selects candidates. It is further submitted that at the relevant time when the selection was made, the applicant though was a member of selection committee but was not present in the meeting as she was being treated at

Indore. He further submits that the charge sheet has been filed and the applicant being lady, may be enlarged on anticipatory bail.

4. Per contra, learned State Counsel opposes the bail application. He submits that as per the register/documents, at the relevant time, though applicant Suman Singh was a member of the Selection Committee but did not attend the meeting as she was undergoing treatment.
5. Considering the fact that though the applicant was member of selection committee but at the time of meeting she was absent, therefore, considering the totality of the facts and circumstances of the case and the applicant being lady, I am inclined to extend the benefit of anticipatory bail to her.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that she will make herself available for interrogation before the investigating officer as and when required;
 - (ii) that she will 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/her from disclosing such facts to the Court or any police officer;
 - (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that she will appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE