

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1091 of 2015

Ku. Savitri Rajak, D/o. R.S. Rajak, Aged About 40 Years, R/o. Village Vishram Nagar, Thelkabod, P.S.- Kanker, Civil & Reveue District - North Baster Kanker, Chhattisgarh

--- Applicant

Versus

State Of Chhattisgarh, Through the In-Charge Officer, Anti Corruption Bureau, Raipur, Distt. Raipur, Chhattisgarh

--- Respondent

For the Applicant : Mr. Sunil Sahu, Advocate

For the Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.11.2015

1. Apprehending arrest in connection with Crime No.51/2009 registered at Police Station- Anti Corruption Bureau, Raipur (C.G.) for the offences punishable under Sections 420, 467, 468, 471, 120B read with Section 34 of I.P.C. & Section 13(1)D and 13(2) of the 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, the applicant was appointed as Shiksha Karmi Grade III in the year 2006 and submitted the certificate of experience showing that he has imparted education at High School Kokpur which was signed by the Principal in the year 2003 and certified by the Sarpanch also and according to the prosecution when it was enquired in the year 2006, it was found to be forged, therefore, the case was registered.
3. Learned counsel for the applicant submits that the experience certificate which was submitted was not forged and the applicant has

imparted education at High School Kokpur from 2003 to 2006 for which the certificate was issued by the Principal, Janbhagidari High School Kokpur, District Kanker, which was certified by the Sarpanch. He submits that the said certificate was submitted at the time of absorption as a Shiksha Karmi and the enquiry when was made in 2009, the then Principal who was posted in 2006 was transferred and on that basis it was presumed by the prosecution that false certificate was issued. Therefore, the learned counsel for the applicant submits that the applicant may be extended benefit of anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perusal of the document and the case diary would reveal that a certificate which is said to be forged was issued in the year 2006 and enquiry was made in 2009 when the Principal who was present in 2009 stated that certificate was not issued by him. Therefore, taking into totality of the case and the fact that the applicant is a lady and investigation is complete, I am inclined to extend the benefit of anticipatory bail to the applicant.
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 shall 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 the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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/her from disclosing such facts to the Court or any police officer;

- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(GOUTAM BHADURI)
JUDGE

Ashok