

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6357 of 2015

1. Smt. Selina Toppo W/o Sumendra Minjhh Aged About 40 Years R/o Navadih, P.S. Chando, District Balrampur Chhattisgarh.
2. Mahendra Kumar Singh S/o Krisna Kumar Singh Aged About 35 Years R/o Pahadgaon, Post Silphili, P.S. Jainagar, Tahsil And District Surajpur Chhattisgarh.
3. Smt. Rukmani Singh W/o Manohar Singh Aged About 30 Years R/o Ketka, P.S. Surajpur, District Surajpur Chhattisgarh.
4. Smt. Vimlawati Rajwade W/o Pingla Ram Rajwade Aged About 31 Years R/o Village Chopda Colony, Bishrampur, P.S. Bishrampur, District Surajpur Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Surajpur, District
Surajpur Chhattisgarh.

---- Respondent

For Applicant	:-	Shri Sourabh Dangi, Advocate
For Respondent/ State	:-	Shri Ashish Shukla, Government Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

26/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 263/2015 registered at Police Station- Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 420,467,468,471,120-B read with section 13(1) (D) 13(2) of Prevention of Corruption Act.
2. The prosecution story in brief is that the applicants namely Smt. Selina Toppo, Mahendra Kumar Singh, Smt. Rukmani Singh and Smt. Vimlawati Rajwade who were appointed as Shikshha Karmi Grade-3 at Janpad Panchayat Surajpur in the year 2007. The

applicants were given marks for their experience certificates on the different heads and they were entitled for the same, thereby, in collusion of Evaluation Committee Members, the members have committed the offence and procured the employment. Hence, the offence under the aforesaid sections have registered against the applicants.

3. Learned counsel for the applicants submit that these are not the case of the prosecution, as the applicants have not submitted any forged certificates/documents. He further submits that initially the issue was taken in the writ jurisdiction wherein registration of FIR was stated. He further submits that the Evaluation Committee makes the report and given the number and on the basis of rules of Panchayat Shikshakarmis (Recruitment and Conditions of Services) Rules 1997, the Selection Committee selects the candidates and subsequently they were given employment to the applicants. He further submits that in the year 2007 the appointment is said to be made and after laps of 8 years, the applicants have been inculpated in the crime. He further submits that the charge sheet in this case has already been filed.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the nature of offence and the allegation level against and the fact the applicants No. 1 to 3 are in jail since 18.10.2015 and the applicant No. 4 is jail since 19.10.2015, this Court is of the opinion, that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.

7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Santosh