

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6581 of 2015**

Hemraj Meena S/o Kadu Ram Meena Aged About 25 Years R/o  
Village Sengarpur, Post Lulaj, Tahsil Sapotara, Dist. Karoli(Rajasthan)

**---- Applicant**

**Versus**

State of Chhattisgarh Through The Station House Officer, P.S. Kabir  
Nagar, Raipur, Distt. Raipur, Chhattisgarh.

**\---- Respondent**

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| For Applicant         | :- | Shri B.D. Guru, Advocate    |
| For Respondent/ State | :- | Shri Anupam Dubey, Dy. G.A. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board By**

**02/12/2015**

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. 100/2015 registered at Police Station- Kabir Nagar, Raipur District – Raipur (C.G.) for the offence punishable under Sections 419 and 420/34 of IPC, 3 & 4 of the Pariksha Adhiniyam and section 65 and 66 of the Information Technology Act.
2. As per the prosecution case, in brief, is that on 19.09.2015 when the examination of Office Assistant ( Multi Purpose) in Regional Rural Banks was being conducted, one Brijesh Kumar was to appear in the exam and in the examination hall, in place of Brijesh Kumar one Pawan Kumar appeared and was caught in the examination hall. Subsequently, on enquiry, it was revealed that Brijesh Kumar was the original examinee and he got prepared Pawan Kumar to appear in the said examination. The allegation against the present applicant is that Brijesh Kumar with the help of

present applicant has got prepared Pawan Kumar to appear in the examination.

3. Counsel for the applicant submits that there is no evidence available against the present applicant and he was caught hold because of he was appeared on 19.09.2015 and only on the basis of the statement of Brijesh Kumar he was inculpated in this case and the applicant is in jail since 19.09.2015 and the charge sheet in this case has been filed and therefore may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the facts and the evidence available against the applicant in this case; considering the facts and circumstances of the case and the manner in which the offence has been committed; further taking the fact that the charge sheet has been filed; the evidence available is documentary in nature and considering the detention of the applicant, this Court is of the opinion that it is a fit case where the present applicant can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety 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