

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1135 of 2015

1. Darsu Prasad Manhar, S/o. Late Shri Nanki Ram Manhar, aged about 62 years, Occupation- Retd. Block Education Officer, Permanent R/o. Village-Kutrabod, Thana & Tahsil – Pamgarh, Civil & Revenue District – Janjgir-Champa (C.G.), present posting – Ex-Block Education Officer, Baikunthpur, District Korea (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Mainpur, Revenue District Gariyaband, Civil District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/11/2015

1. Apprehending arrest in connection with Crime No.14/2012 registered at Police Station- Mainpur, District Gariyaband, for offence punishable under Section 420, 467, 468, 471, 120-B, read with Section 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, during the recruitment of Shikshakarmis at Janpad Panchayat Mainpur, District Gariyaband, the applicant being a member of the selection committee, the applicant verified the documents, which was submitted by the candidates of shikshakarmi grade-III and appointed the shikshakarmies. The forgery of the certificate was detected when the complaints made by the other candidates were examined by the higher officials and it is stated that without verifying the documents, the petitioner has appointed the candidates, therefore, the crime is committed.
3. Learned counsel for the applicant would submit that similarly placed co-accused, who was also the member of selection committee has been granted anticipatory bail by the coordinate Bench of this Court Hon'ble Court in M.Cr.C.(A) No.1269/2014, vide order dated

19.02.2015, therefore, he prays that that the applicant may be granted anticipatory bail.

4. Per contra, the learned State counsel after verifying the record would submit that the case of the present applicant is similar to the case of the co-accused Meena Tirki, who has been granted anticipatory bail.
5. Considering the fact that the applicant has verified the documents, which were submitted by the candidates and taking in to the fact that similarly placed co-accused has been enlarged on anticipatory bail, this Court is 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, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself 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 to 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