

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7000 of 2015

- Satish @ Khitij Sharma @ Vrushank Satish Kashyap S/O Bhuvneshwar Sharma, Aged About 37 Years R/O Kabir Nagar, Face-4, House No. M. D. 119-B, P. S. Kabir Nagar, Raipur, Permanent Address: House No. 140, Ward No. 3, Mohalla Pandriya, Post Buniyad Ganj, District Gaya (Bihar) --- **Petitioner**

Versus

- State Of Chhattisgarh Through S. H. O., Police Station - Kabir Nagar, Raipur, District Raipur (Chhattisgarh). --- **Respondent**

For the applicant	:	Mr. Awadh Tripathi, Advocate.
For the Respondent	:	Mr. Ramakant Mishra, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No.66 of 2015 registered at Police station Kabir Nagar, Raipur, Distt. Raipur (C.G) for the offences punishable under sections 370, 420, 467, 468, 471/34 of IPC and Sections 3(1)((vi), 3(2)(v) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 23 of the Juvenile Justice Act.
2. As per the prosecution case, the applicant formed Bastar Mitra Foundation, became its President and got it registered on 08.02.2013. Subsequently, the applicant changed the date of its registration certificate as 08.02.2012 and issued registration certificate regarding affiliation of Vedanta International School being run by him and the said school was established through Bastar Mitra Foundation. The prosecution case is that the Government has introduced certain schemes for the meritorious students of Scheduled Tribe and accordingly, 3 students of scheduled tribe namely Kushal Patra, Pradeep Kumar Ureti and Mayank Madkam who are residents of Bijapur and Kanker were selected for admission into sixth class in

Vedanta Public School, Raipur. It is alleged that the applicant has received Rs.3,50,000/- under the said Government Scheme by forged registration of the said Foundation and without running the said Vedanta School. It is also alleged that the students Kushal Patra, Pradeep Kumar Ureti and Mayank Madkam though they were admitted in the School, but the the applicant and his wife Vinita Sharma have not permitted the above students to study in Vedanta School, instead the students were forced to work as labour in their home.

3. Learned counsel for the applicant submits that students were admitted in School in 2014 and initially no complaint was made. However, subsequently in the year 2015, the report was made. He further submits that the charge sheet in this case has been filed and the applicant was arrested on 20.07.2015.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the fact that the charge sheet in this case has been filed and since the statements have been recorded and no further custodial interrogation is required and further taking into degree of allegations and period of detention of the applicant as he is stated to be in jail in jail since 20.07.2015, I am inclined to release the applicant on bail.
6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**