

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3990 of 2015**

Setram Chandra, Son of late Ramadhar Chandra, aged about 65 years, R/o Village Datoud, Police Station and Tahsil Jaijaipur, Civil and Revenue District Janjgir-Champa (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through: the Station House Officer, Police Station Jaijaipur, Civil and Revenue District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Mr. Ashok Kumar Shukla, Advocate.
For Respondent/State: Mr. Om P. Sahu, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.188/2009 registered at Police Station Jaijaipur, District Janjgir-Champa (C.G.) for the offences punishable under Sections 420, 467, 468 & 471 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 13.06.2005 one Smt. Satyabhama Patel, wife of Rajendra Kumar Patel was appointed as Shiksha Karmi Grade III by the Chief Executive

Officer, Janpad Panchayat, Jaijaipur, District Janjgir-Champa. Allegation against the present applicant is that he had interpolated the appointment order and after deleting the name of Smt. Satyabhama Patel, the name of Ku. Satyabhama Patel, daughter of Ganesh Ram Patel has been inserted and on the basis of this forged appointment order, Ku. Satyabhama Patel, daughter of Ganesh Ram Patel had given her joining at Jatapara School and where she is presently working.

(3) Counsel for the applicant submits that applicant is not party to the issuance of forged appointment order and he has been falsely implicated in the offence in question; and it is the co-accused Gopal Ram Chandra, Block Education Officer, who has interpolated the appointment order and he has already been granted anticipatory bail by this Court on 09.09.2009 in M.Cr.C. (A) No.478/2009; and Shri Mahaveer Prasad, Chief Executive Officer, Janpad Panchayat, Jaijaipur, who has signed this forged appointment order, even has not been made accused; and the present applicant, who is retired from service in the year 2009, has been arrested on 09.07.2015 and he has nothing to do with the said offence and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; considering the role of the present applicant in the offence in question; and the fact that co-accused Gopal Ram Chandra has already been granted anticipatory bail by this Court on 09.09.2009 in M.Cr.C. (A) No.478/2009; and the applicant is a

retired government servant; case is triable by the Judicial Magistrate First Class; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to 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/-

(Sanjay K. Agrawal)
Judge

D/-