

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 739 of 2015

Smt. Pushplata Parichha W/o Philip Parichha Aged About 60 Years Occupation -
Service R/o B-6 Subham Vihar Om Jone Colony Bilaspur Civil & Revenue Distt.
Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station - Surajpur, Distt. - Surajpur
Chhattisgarh

---- Respondent

For Applicant	:	Shri B.P. Sharma, Advocate with Shri A.N. Pandey, Advocate.
For Respondent/State	:	Shri Satish Gupta, Government Advocate

Order On Board

02/09/2015

Heard.

1. The applicant is apprehending her arrest in connection with Crime No.263/2015 registered at Police Station Surajpur, Distt. Surajpur (C.G.) for alleged commission of offence under Section 420/ 34 of IPC.
2. Case of the prosecution is that list of merit of candidates on the basis of marks obtained was prepared. The allegation is that the members of selection committee awarded marks to number of candidates for those attributes of merit in respect of which, they had not submitted any documents/certificates etc. The applicant is involved because she was also one of the members of the selection committee who prepared the merit list jointly with other members and signed it.
3. Learned counsel for the applicant submits that the applicant was member of the select list and during preparation of merit list, there was compilation of large number of documents/ certificates submitted by individual candidates and on that basis, the clerk of the office had

prepared a list, which was signed by the applicant on a bonafide belief that list has been prepared on the basis of the certificates submitted by the candidates. If in some cases, marks have been awarded without there being any supporting documents, it is only a bonafide omission and mistake and no criminality is involved. The applicant is a lady, aged about 60 years. She is not likely to abscond or interfere with the investigation. She is also not keeping well and suffering from heart ailment.

4. On the other hand, learned State counsel opposes prayer for grant of bail and submits that the involvement of the applicant in the alleged offence is prima facie made out because she was also one of the signatory to the merit list prepared by selection committee, in which, marks have been awarded to candidates without there being supported document.

5. Taking into consideration the nature and gravity of allegation though I am not inclined to grant anticipatory bail to the applicant and reject the application at the same time considering other aspect. It is directed that if the applicant surrenders and applies for grant of regular bail, the application shall be considered and decided by the Court below within two days.

6. The bail application is rejected.

Sd/-

Manindra Mohan Shrivastava

J U D G E