

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC(A) No. 1191 of 2015**

Yogendra Kumar Chandrakar, son of Shri Mohan Lal Chandrakar,  
aged about 36 years, caste Kurmi, resident of Gram Rakhi, PO  
Bhathagaon, Tahsil Kurud, District Dhamtari (CG) Present Residence  
: Jepera, Tahsil Charama, District Kanker --- **Applicant**

**Versus**

State of Chhattisgarh, through Anticorruption Bureau, Raipur, Distt.  
Raipur (CG). --- **Respondent**

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For the applicant : Mr. Abhishek Sinha, Advocate

For the Respondent : Mr. Anant Bajpai, Panel Lawyer.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**19.11.2015**

1. Apprehending arrest in connection with Crime No. 51/2009 registered at Police Station Anti Corruption Bureau, Raipur (CG) for the offences punishable under Sections 420, 467, 468, 471, 120B/34 of IPC and Sections 13(1)D and 13(2) of the Prevention of Corruption Act, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, the applicant was appointed as Shiksha Karmi Grade II in the year 2006 after facing interview. It is alleged that the applicant had submitted the certificate of experience showing that he has imparted education at Higher Secondary School Bohra, during the period 2004-2006, however, the same was not verified and and thereafter without following the procedure, the applicant was appointed as Shiksha Karmi .
3. Learned counsel for the applicant submits that the experience certificate which was submitted was not forged and the applicant has imparted education at Higher Secondary School, Bohra, Durg from 2004 to 2006 for which the certificate was issued by the Principal, Govt. Hr. Sec. School, Durg which is placed before this Court and if it has not been verified according to the procedure laid down, no criminality can be attributed to the applicant for the alleged irregularity. He further submits that it is not a case that merely on the basis of forged experienced certificate the applicant obtained the job

of Shiksha Karmi and got the benefit.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. After perusal of the case diary and documents, it would appear that the experience certificate which was issued by the Principal, Government Higher Secondary School in the year 2006 was produced and on the basis of which the applicant was appointed as Shiksha Karmi. If the verification of the said certificate was not done it cannot be presumed that the certificate was forged.
6. Taking into totality of the facts and circumstances and the evidence available in the case diary, I am inclined to release the applicant on anticipatory bail.
7. 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 officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
  - (i) that he shall make himself available for interrogation before the investigating officer as and when required;
  - (ii) that he 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 any police officer;
  - (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

**Sd/-**

**GOUTAM BHADURI  
JUDGE**