

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6904 of 2015

- Raj Kumar Rajwade S/o Prem Sai Aged About 45 Years R/o Kailashpur, P.S. Jainagar, District Surajpur Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through : The Station House Office, Police Station Surajpur, District Surajpur Chhattisgarh

---- Respondent

For the applicant	:	Mr. Keshav Gupta, Advocate
For the Respondent	:	Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 263 of 2015 registered at P.S. Surajpur (C.G) for the offence punishable under Section 420, 467, 468, 471, 120-B of IPC
2. Case of prosecution, in brief, is that some persons were appointed as Shiksha Karmi Grade-III in Janpad Panchayat Surajpur in the year 2007. Certain complaints were made against the appointments and on enquiry it was revealed that the candidates who were not eligible to be appointed as Shiksha Karmi have been wrongly awarded marks though they were not holding requisite qualifications but they were selected by awarding such marks, thereby the genuine candidates were deprived of the selection. The allegation against the applicant is that at the relevant time, the applicant was member of the Selection Committee as also

Vice President of Janpad Panchayat Surajpur.

3. Learned counsel for the applicant submits that the role of the selection committee and role of the scrutiny committee have been defined under the Panchayat Act and by such act, being member of the Selection Committee he only recommended the list of selected candidates to the Scrutiny Committee and so far as scrutiny of documents and allotment of marks are concerned, that is within the arena of Scrutiny Committee, therefore, the applicant has no role in awarding the marks. He further submits that the charge sheet has been filed and the applicant is in jail since 10.08.2015, therefore, he prays for releasing the applicant on bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the fact that the charge sheet in this case has been filed and the evidence available in this case is documentary in nature and the applicant is in jail since 10.08.2015 and taking into fact that the trial may take some time, I am inclined to release the applicant on bail. Accordingly, the application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE