

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5321 of 2015**

Bansidhar Yadav S/o Shri Rambeni Yadav, aged about 44 years,
Occupation-Panchayat Secretary, R/o Village Nilkanthpur, P.S.
Ramchandrapur, District Balrampur-Ramanujganj (CG)

---Applicant**Versus**

State of Chhattisgarh through In-charge Police Station-Ramchandrapur,
District Balrampur-Ramanujganj (CG)

---Non-applicant

For Applicant	:	Mr.Anand Shukla, Advocate
For Non-applicant	:	Mr. O.P.Sahu, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/10/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.1/2015, registered at Police Station-Ramchandrapur, District-Balrampur-Ramanujganj (C.G.), for the offence punishable under Sections 420, 467, 468 and 471 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 2.3.1997 the applicant obtained service/post of Secretary of Gram Panchayat, Chargarh by submitting forged high school marksheet/certificate and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit complaint has been lodged by the complainant as the applicant was appointed in place of the complainant on the post of Secretary of Gram Panchayat, Chargarh. The matter has been duly

verified in which it has been held that the applicant has passed high school examination from concerned place, as such, he is in jail since 21.8.2015 and charge-sheet has already been filed. The applicant has been suspended from service and no useful purpose would be served by detaining him in jail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; considering his defence, pre-trial detention of the applicant, the fact that the applicant has already been placed under suspension and also considering the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-