

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 609 OF 2016**

Nand Kumar Deshlahre S/o Sukhram Deshlahre, Age-29
years, R/o village Borgahan, Police Station Ranchirai,
District Balod (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station Mainpur,
District Gariyaband (C.G.)

---Non-applicant

For Applicant	:	Mr. Shashi Kumar Kushwaha, Advocate
For-Non-applicant	:	Mr. Dilmanrati Minj, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22/02/2016**

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. 08/12, registered at Police Station Mainpur Distt. Gariyaband, for the offence punishable under Sections 420, 467, 468, 471, 120-B and

34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant obtained employment on the post of Shiksha Karmi Grade-III by submitting forged D.Ed. Certificate, Higher Secondary Mark-sheet and Experience Certificate and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that co-accused Sanjay Verma granted regular bail by Co-ordinate Bench of this Court in M.Cr.C. No. 7172/2015 on 23/12/2015 and case of the present applicant is identical from co-accused Sanjay Verma. He would lastly submit that charge sheet has been filed and applicant is in jail since 08/11/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that case of Sanjay Verma who has granted regular bail by Co-ordinate Bench of this Court in M.Cr.C. No. 7172/2015

on 23/12/2015 is distinguishable from the present applicant as the present applicant has not resigned from service, therefore, he is not entitled to be released on regular bail.

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; the manner, in which, applicant is said to have obtained employment on the basis of forged documents and case of the present applicant is distinguishable from Sanjay Verma, I am not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge