

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1081 OF 2016**

Hemant Verma S/o Sukhram Verma, aged about 35 years,
R/o Ward No. 6, Kurmipara, Saja, Police Station & Tahsil
Saja, Civil and Revenue District Bemetara (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through S.H.O., Police Station Saja,
Civil and Revenue District Bemetara (C.G.)

---Non-applicant

For Applicant	: Mr. Vaibhav A. Goverdhan, Advocate
For Non-applicant	: Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/03/2016**

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. 33/14, registered at Police Station Saja, Civil and Revenue District Bemetara (C.G.), for the offence punishable under Sections 420, 467, 468, 471/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that, five co-

accused persons submitted fake Teachers Eligibility Test Certificate alleged to be issued by the applicant and on that basis the five co-accused persons obtained Government employment.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that Smt. Anita Sahu has made statement that she has given Rs.75,000/- for issuance of fake Teacher Eligibility Test. He would further submit that incident is of 2012-2013 and FIR has been lodged on 13/02/2014 *whereas* Janpad Panchayat, Saja has appointed him to get certificate examined from the Chhattisgarh Professional Board on 03/01/2014 and since the applicant did not succumbed to the pressure of the co-accused persons, he has been falsely implicated. He would further submit that co-accused Smt. Anita Sahu who has alleged submitted forged certificate has been released on regular bail by the co-ordinate Bench in M.Cr.C. No. 1644/2016 on 21/03/2016. He would lastly submit that charge sheet has been filed and applicant is in jail since 30/12/2015 therefore, he may be released on bail.

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 applicant; material available in the case diary; allegation of obtaining money; pretrial detention of the applicant and extent of delay in lodging the FIR, this Court is of the opinion that present is the 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 applicant shall be released on bail on 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