

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. No. 1644 /2016

Smt. Anita Sahu, W/o. Nirmal Sahu, Aged About 30 Years, R/o. Village Patora, Post Karesara, Police Station Thankhamaria, Civil & Revenue District Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Saja, Civil & Revenue District Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.03.2016

1. This is the second bail application. The first bail application was dismissed as withdrawn on 25.01.2016 with liberty to repeat after filing of the charge sheet. Learned counsel for the applicant submits that now the charge sheet has been filed and therefore the second bail application.
2. The instant second bail application is filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.33/2014 registered at Police Station– Saja, District Bemetara (C.G.) for the offence punishable under Section 420, 467, 468, 471/34 of IPC.
3. Case of the prosecution, in brief, is that the applicant Smt. Anita Sahu was appointed as Shiksha Karmi Grade-III now named as Assistant Teacher at Janpad Panchayat - Saja in the year 2013. It is the allegation that the applicant has submitted a Teachers Eligibility Test certificate, which was forged and on that basis, she

was able to procure the employment thereby the eligible candidates were deprived of selection and therefore, the offence has been committed.

4. Learned counsel for the applicant submits that the applicant had not annexed the document which is alleged to be forged alongwith the application and she was selected only on the basis of merit and subsequently in the year 2015 the bald allegations have been made. He further submits that the charge sheet has been filed and therefore the applicant being a lady having two kids may be enlarged on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Having regard to the nature of allegation leveled against the applicant and considering the fact that the charge sheet has been filed and the applicant is in jail since 25.12.2015, I am inclined to release the applicant on 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 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 her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge