

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 299 of 2016

Ku. Mukta Bek, D/o. Late Alvis Bek, Aged About 40 Years, Occupation Shiksha Karmi Grade-III, Primary School Kansapara, Jaynagar, P.S. Jaynagar, Tahsil & District Surajpur, R/o. Village Patratoli, P.S. Lodam, Tahsil & District Jashpur, Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashok K. Shukla with Mr. Atanu Ghosh,
Advocates

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/03/2016

1. Apprehending arrest in connection with Crime No.263/2015 registered at Police Station Surajpur, District Surajpur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120(B) of Indian Penal Code and Section 13(1) (d) & 13(2) of Prevention of Corruption Act, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant was appointed as Shikshakarmi Grade-III in Janpad Panchayat-Surajpur in the year 2007. Subsequently, on enquiry being made, it was found that the applicant had not submitted any documents, but she was given number for Experience Certificate, Scout & Guide and D.Ed. Certificate and respective numbers were awarded to her and thereafter in connivance with the selection committee, she got herself selected, thereby the eligible candidates were deprived of their right.
3. Learned counsel for the applicant would submit that, she has not submitted any documents and only on the basis of the number given

by the selection committee, she was selected. He would further submit that the applicant was selected on her own merits. He further submits that the FIR is delayed by 7 years and there is no custodial interrogation is required, therefore, the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail and would submit that according to the case diary though the applicant did not submit any documents, but she managed to procure the numbers in connivance with the selection committee and was got selected. It is submitted that charge-sheet in this case has been filed and the applicant is still absconding, therefore, she may not be extended the benefit of anticipatory bail.
5. Perused the case diary and documents and the statement of Manoj Mandal and D.K.Nigam wherein it is stated that despite certain documents i.e. certificates were not deposited, the respective candidates were given numbers and as many as 99 candidates were selected and subsequently on enquiry it was found that though the certificate was not given but they have been selected by giving numbers. Consequently, the involvement of the applicant in procuring the job in connivance with the selection committee in the background of the facts can not be denied. Considering the fact that the charge sheet has been filed and the applicant is still absconding, this Court is not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge