

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 267 of 2016

Smt. Champa Khakha, D/o. Laxmi Prasad, Aged About 28 Years, W/o. Laxman Bhagat, Caste Uraon, Occupation Shiksha Karmi Grade III, Primary School, Darripara, Jagannathpur, P.S. & Tahsil Pratappur, District Surajpur, 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, an 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 sports 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 would further submit that the FIR is delayed by 7 years, therefore, the counsel prays that considering the delay in lodging the FIR, 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, the State counsel prays that the applicant 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. experience certificate, 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. The applicant is still absconding and the charge-sheet has been filed, considering the facts of the case, this Court is not inclined to grant anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge