

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2727 OF 2016

Kumari Malhana, daughter of Gangadhar Thakur, aged about 23 years,
Resident of Village Matra, Post Parasbod, Tahsil and Police Station Saja,
Civil and Revenue District Bemetara (C.G.)

... Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station
Saja, Civil and Revenue District Bemetara (C.G.,)

... Non-applicant

For Applicant	:	Mr. J. R. Verma, Advocate.
For Non-applicant/State	:	Mr. Shashank Thakur, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/06/2016

1. This is the first bail application filed under Section 439 of CrPC for grant of bail to Applicant, who has been arrested on 26.12.2015 in connection with Crime No.33/14 registered at Police Station Saja, District Bemetara, for the offence punishable under Sections 420, 467, 468 & 471/34 of the IPC.
2. As per the prosecution case, the allegation against the present applicant is that the present applicant for the purpose of getting employment at Janpad Panchayat, Saja had obtained fake Certificate of Teacher Eligibility Test (TET), which was procured from the co-accused Hemant Verma and Ravindra Yadav. According to Counsel for the applicant, there were other persons, who had also obtained the same fake certificate for the purpose of obtaining employment at Janpad Panchayat, Saja and one such person is Smt. Anita Sahu, who has also been an accused in the present case and the said Smt. Anita Sahu has already been released on bail on 21.03.2016 in MCRC No.1644/2016.

3. Counsel for the applicant submits that the nature of allegations levelled against the co-accused Smt. Anita Sahu is similar to the allegations that are levelled against the present applicant and, therefore, the benefit of bail may also be extended to the present applicant.

4. State counsel on verifying the case diary and also after perusal of the order granting bail to the co-accused Smt. Anita Sahu does not dispute the fact that the nature of allegations levelled against the present applicant is similar to the nature of allegations levelled against the co-accused Smt. Anita Sahu.

5. Considering the aforesaid facts and circumstances of the present case, this Court is of the view that it is a fit case where the Applicant can be released on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that in case the Applicant furnishes a personal bond for a sum of **Rs. 20,000/- with one surety** of the like amount to the satisfaction of the concerned Trial Court then he shall be released on bail on the following further conditions:-

(i) that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(ii) that the Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iii) that the Applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge