

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. NO. 2547 OF 2016

Deepak Jaiswal, S/o Shri Ramasre Jaiswal, aged about 27 years, R/o 36, Rajendra Nagar, Ward No.1, Tahsil & Police Station- Geedam, District- South Bastar-Dantewada (C.G.)

... Applicant

Versus

The State of Chhattisgarh, through Station House Officer, Police Station- Geedam, Civil & Revenue District- South Bastar-Dantewada (C.G.)

... Non-applicant

For Applicant	:	Mr. Sunil Pillai, Advocate.
For Non-applicant/State	:	Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/06/2016

1. This is the first application filed under Section 439 of CrPC for grant of bail to Applicant who has been arrested on 26.03.2016 in connection with Crime No. 79/2015 registered at Police Station Geedam, Civil & Revenue District South Bastar-Dantewada, for the offences punishable under Sections 448, 385, 353, 186/34 and Section 6 of the Chhattisgarh Public Examination Act.
2. Allegation against the Applicant is that he had obstructed the government officials in discharging of the duties in the nature of obstructing the examination conducted on 10.5.2016 at the Government School, Geedam.
3. Counsel for the Applicant submits that the maximum punishment which can be given to the Applicant for the offences which have been registered against him is of 2 years or fine and he has already remained in jail for a period about 2½ months. He further submits that it is a case where the Applicant who basically was a correspondent of a Newspaper and who came to know that large scale of malpractices were being carried

in the course of examination which was being held at the Government School, Geedam and for which he had tried to collect information and take photographs which was objected to by the authorities supervising the examination and subsequently a case has been lodged against him.

4. Counsel for the State on the other hand opposing the bail application submits that the nature of allegation against the Applicant is quite serious and therefore he should not be released on bail.

5. Considering the total facts and circumstances of the case particularly taking into account the nature of allegation levelled against the Applicant, 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