

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 492 of 2016

1. Pooja Sharma, aged about 27 years, D/o. Dwarika Prasad Sharma,
R/o. Gram Hattkongera, Tehsil Kanker, District – Bastar (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Civil Lines, Raipur
(C.G.)

---- Respondent

For Applicant : Mr. Maneesh Sharma, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/07/2016

1. Apprehending arrest in connection with Crime No.202/2016 registered at Police Station- Civil Lines, Raipur, District – Raipur (C.G.), for offence punishable under Section 420 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant procured the job in the year 2013 of lecturer through on-line counseling and she appointed by the Panchayat Department at Arang and was imparting education at Government Higher Secondary School, Ganaud. Subsequently, it was found that on the basis of mark-sheet, which was submitted by her of B.Com and M.Com of Guru Ghasidas University was fake and as such the offence has been registered.
3. Learned counsel for the applicant would submit that the mark-sheet which is fake is yet to be established and at this stage it can not be stated that the mark-sheet which was submitted by the applicant was fake. He further submits that the applicant appeared in the University on the basis of B.Com mark-sheet and got admission in

M.Com and thereafter on what basis it is being said that mark-sheet is fake is not clear and only on the fake allegation, the applicant has been inculpated, therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra learned State counsel opposes the application for grant of anticipatory bail.
5. Perused the case diary and the documents. Case diary do not contain any statement of University on what basis it is being stated that mark-sheet is fake. Taking into documents, which is available presently in the case diary further considering the fact that the applicant is a lady, who had resigned, this Court is inclined to extend the benefit of anticipatory bail to the applicant as the custodial interrogation of the applicant may not be required in this case.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) 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;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge