

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.7149 of 2015

Bharat Chouhan, S/o late Maghi Lal Chouhan, aged about 25 years, R/o Nutan Chowk, Shiv Shitla Mandir, Indira Vihar Gate, Sarkanda, Bilaspur, District Bilaspur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, through Police Help Centre Rampur, Police Station Kotwali, Korba, District Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Y.C. Sharma, Advocate.
For Non-applicant:	Mr. Om Prakash Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.417/2015, registered at Police Help Centre Rampur, Police Station Kotwali, Korba, Distt. Korba, for the offence punishable under Sections 420, 147, 468, 471 and 120B of the IPC.
2. Case of the prosecution, in brief, is that the applicant along with nine other co-accused persons prepared forged marks sheet by which the accused/ some other persons secured employment in Government Departments and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant himself is a victim, as other accused persons have obtained money from the applicant to secure employment for him and they have prepared forged marks sheet for the applicant. The applicant is in custody from 24-10-2015 and he has already been terminated from service. Charge-sheet has been filed and no

useful purpose will be served by keeping the applicant in jail.

4. On the other hand, learned State counsel would oppose the application and would submit that the applicant himself knowing fully well that he has only obtained 50% marks in the middle school examination submitted a forged certificate of middle school showing to have obtained 84.80% and thus, he has participated in the criminal offence.
5. I have heard learned counsel for the parties and gone through the case diary.
6. After having heard learned counsel for the parties, and after going through the record, in view of the fact that the applicant has not only assisted in preparation of forged marks sheet, but also on the basis of forged marks sheet, obtained service in the Government Department, I do not consider it a fit case to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge