

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1284 of 2015

- Arjun Lal Chandrawanshi S/o Dukhi Ram Chandrawanshi Aged About 50 Years Upper Division Teacher, Govt. Middle School, Sukhatal, District Bemetara, R/o Village Kumhi, Tahsil Pandaria, District Kabirdham Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh Through The Police Station Saja, District Bemetara Chhattisgarh. **--- Respondent**

For the applicants : Mr. Ravindra Agrawal, Advocate.

For the Respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.01.2016

1. Apprehending arrest in connection with Crime No. 302/2015 registered at Police Station Saja, Distt. Bemetara (C.G) for the offences punishable under Sections 420, 467, 468, 471/34 IPC, the applicant has filed this application u/s 438 Cr.P.C., seeking grant of anticipatory bail.
2. As per the prosecution case, one Ravindra Yadav who was working as Upper Division Teacher was promoted as Lecturer in the year 2007. It is alleged that he submitted a forged marks sheet of M.A., Sanskrit and got the promotion of lecturer. Subsequently, a complaint was made by one Narad Singh in the year 2013 wherein the FIR was registered and Ravindra Agrawal was arrested. After his arrest it was disclosed that the said forged mark sheet was obtained after payment of Rs.25,000/- to the present applicant and the original mark sheet was taken away by the present applicant.

3. Learned counsel for the applicant submits that the present applicant has falsely been inculpated only on the statement of Ravindra Yadav, the other co-accused and the applicant was not posted at Saja in the year 2007-2008 and he was posted at Janjgir Champa, therefore, there was no nexus between the applicant and the other co-accused, as such, he has been falsely implicated in this case.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. I have gone through case diary and other statements.
6. The only allegation against the present applicant is that in the memorandum of Ravindra Yadav, he disclosed that the original mark sheet was taken away by the present applicant whereas the case diary contains that the applicant consented for searching the original mark sheet in his house.
7. Taking into the totality of the facts and circumstances of the case and the considering the documents available in the case diary, I am inclined to allow this anticipatory bail application.
8. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that he shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that he 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 any police officer;

(iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

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

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao