

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7458 of 2015

- Jashlal S/o Dharamjeet Aged About 37 Years R/o Village Nayaranpur, P.S. Ramanujnagar, District Surajpur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Surajpur, District Surajpur Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Ashok Kumar Shukla, Advocate
For the Respondent	:	Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.01.2016

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 263/2015 registered at P.S. Surajpur, Distt. Surajpur (C.G) for the offence punishable under Section 420, 467, 468, 471, 120-B read with Section 34 IPC and Section 13(1)(d) and 13(2) of Prevention of Corruption Act.
2. As per the prosecution case, the applicant was appointed as Shiksha Karmi Grade III at Janpad Panchayat, Surajpur in the year 2007. It is alleged that though the applicant was having less marks but he was appointed as Shiksha Karmi by producing forged certificates, thereby, the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has not submitted any forged document to procure employment and the applicant was selected as Shiksha

Karmi completely on the basis of the merit and therefore, the question of employment on the basis of forged document do not arise. He further submits that the Evaluation Committee makes the report and gives the number and on the basis of rules of Panchayat Shikshakarmis (Recruitment and Conditions of Services) Rules 1997, the Selection Committee selects the candidates and subsequently he was given employment. He further submits that in the year 2007 the appointments were said to be made and after lapse of 8 years, the applicant has been inculpated in the crime. It is further submitted that the charge sheet in this case has already been filed and the applicant is in jail since 19.10.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the fact that the charge sheet in this case has been filed and the evidence available in this case is documentary in nature and looking to the detention period of the applicant and the trial may take some time, I am inclined to release the applicant on bail. Accordingly, the application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE