

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C.(A) No. 199 of 2016**

1. Shivcharan Singh, S/o. Ramsunder, aged about 38 years, Caste-Gond, R/o. Village-Banja, Police Chowki-Basdei, Tahsil-Bhaiyathan, District – Surajpur (C.G.)
2. Lalan Prasad Uike, S/o. Baran Ram Uike, aged about 34 years, Caste-Gond, R/o. Village-Basdei, Police Chowki-Basdei, Tahsil-Bhaiyathan, District – Surajpur (C.G.)

**----Applicants**

**Versus**

1. State of Chhattisgarh, through : Station House Officer, Police of Police Station-Surajpur, District – Surajpur (C.G.)

**---- Respondent**

---

|                      |                                      |
|----------------------|--------------------------------------|
| For Applicants       | : Mr. Dashrath Kushwaha, Advocate    |
| For Respondent/State | : Mr. Anil S. Pandey, Govt. Advocate |

---

**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**04/03/2016**

1. Apprehending arrest in connection with Crime No.263/2015 registered at Police Station- Surajpur, District – Surajpur (C.G.), for offence punishable under Section 420, 467, 468, 471, 120(B) of Indian Penal Code and Section 13(1) (D) & 13(2) of Prevention of Corruption Act, 1988, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicants were appointed as Shikshakarmi Grade-III in Janpad Panchayat-Surajpur in the year 2007. Subsequently, an enquiry being made, it was found that the

applicants had not submitted any documents, but they were given number for scout guide, sports and experience certificate and respective numbers were awarded to them and thereafter in connivance with the selection committee, they got themselves selected, thereby the eligible candidates were deprived of their right.

3. Learned counsel for the applicants would submit that, they have not submitted any documents and only on the basis of the number given by the selection committee, they were selected. He would further submit that the applicants were selected on their own merits. He would further submit that the FIR is delayed by 7 years, therefore, the counsel prays that considering the delay in lodging the FIR, the applicants may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail and would submit that according to the case diary though the applicants did not submit any documents, but they managed to procure the numbers in connivance with the selection committee and were got selected. It is submitted that charge-sheet in this case has been filed and the applicants are still absconding. Therefore, the State counsel prays that the applicants may not be extended the benefit of anticipatory bail.
5. Perused the case diary and documents and the statement of Manoj Mandal, wherein it is stated that despite certain documents i.e. experience certificate, sport and scout-guide, were not deposited, the respective candidates were given numbers and as many as 99 candidates were selected and subsequently on enquiry it was found that though the certificates were not given but they have been selected

by giving numbers. Consequently, the involvement of the applicants in procuring the job in connivance with the selection committee in the background of the facts can not be denied. The applicants are still absconding and the charge-sheet has been filed, considering the facts of the case, this Court is not inclined to grant anticipatory bail to the applicants.

6. Accordingly, the anticipatory bail application is dismissed.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge