

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 297 of 2016

1. Kalinder Singh, S/o. Shri Bisun Ram, Aged About 44 Years, Caste Gond, Occupation Service (Shiksha Karmi Grade III), R/o. Village Okra, P.S. Rajpur, District Balrampur, Chhattisgarh. Presently resided at Village Kandarai, P.S. Jaynagar, Tahsil & District Surajpur, Chhattisgarh.
2. Rajnath Singh, S/o. Shri Gopal Singh, Aged About 29 Years, Caste Gond, Occupation Service (Shiksha Karmi Grade III), R/o. Village Karanji, P.S. Rajpur, District Balrampur, Presently resided Village Rajapur, P.S. Jaynagar, Tahsil & District Surajpur, Chhattisgarh.

----Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Ashok K. Shukla with Mr. Atanu Ghosh,
Advocates

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/03/2016

1. Apprehending arrest in connection with Crime No.263/2015 registered at Police Station Surajpur, District Surajpur (C.G.) for the 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, 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, on enquiry being made, it was found that the applicants have not submitted any documents, but the applicant No.1 was given number for Experience Certificate and applicant No.2 was given number for Experience, Scout & Guide and Sports Certificates 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 further submits that the FIR is delayed by 7 years and there is no custodial interrogation is required, therefore, 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, they may not be extended the benefit of anticipatory bail.
5. Perused the case diary and documents and the statement of Manoj Mandal and D.K.Nigam wherein it is stated that despite certain documents i.e. certificates 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. Considering the facts that the applicants are still absconding and the charge-sheet has been filed, this Court is not inclined to grant anticipatory bail to the applicants.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge