

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. (A) No. 170 of 2016

Prabha Tigga W/o. Vipin Pratap Tirkey, Aged about 33 years, Caste Uraon, R/o. Village Bairdih, P.S. Sabag, Tahsil Kusmi, District Surajpur (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through - the Station House Officer, Police Station – Surajpur, District Surajpur (C.G.)

---- Respondent

For Applicant	:-	Mr. Keshav Gupta, Advocate
For Respondent/State	:-	Mr. Gary Mukhopadhyay, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08/03/2016

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) and 13(2) of Prevention of Corruption Act, the applicant has preferred this application for grant of anticipatory bail.

2. As per the prosecution case, in brief, is that the applicant was appointed as Shikshakarmi Grade-3 in Janpad Panchayat, Surajpur in the year 2007. On 12.11.2014 an enquiry was being made and it was found that the applicant has not submitted any certificates, but was given marks and she was provided with job and as such with connivance of officers she procured the job.

3. Counsel for the applicants submit that the applicant has not at all submitted the certificates and initially the selection was made on the basis

of merit and not on the basis of any certificate. He further submits that applicant is blessed with a child on 19.01.2016 and he relied on the documents of birth certificate filed along with the bail petition and submits that if the bail is not granted to the applicant, she would face great hardship, therefore, the applicant may be given the benefit of anticipatory bail.

4. Per contra learned State counsel opposes the prayer for grant of anticipatory bail.

5. Perusal of the case diary and the document shows that this fact is not in dispute that the applicant had procured the employment on the basis of number without certificate. The evidence are in documentary in nature. Taking into fact, that applicant was blessed with a child recently, on 19.01.2016, considering the fact that on the sole ground that applicant has to take care of infant child, this Court is of the opinion that the present is the fit case, where the applicant should be enlarged on anticipatory bail.

6. Accordingly, the anticipatory bail 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 them on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 them from disclosing such facts to the Court or to any police officer;

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

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

Sd/-

(Goutam Bhaduri)

JUDGE

Santosh