

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3014 of 2016

- Gomtibai D/o Vishal Kashyap Aged About 18 Years R/o Village Maldakala, P.S. Hasoud, Tahasil Jaijaipur, District Janjgir Champa, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through District Magistrate, District Janjgir Champa, Chhattisgarh. -- **Respondent**

For the applicant	:	Mr. Ishwar Jaiswal, Advocate
For the Respondent	:	Mr. Neeraj Kumar Sharma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 92/2016 registered at P.S. Jaijaipur, Distt. Janjgir-Champa (C.G) for the offence punishable under Section 6 of the Chhattisgarh Public Examination (Prevention of Unfair Means) Act, 2008 and Sections 419, 120-B of IPC (wrongly mentioned u/s Section 376, 506 of IPC in the impugned order).
2. As per the prosecution case, on 28.04.2016 the applicant was appearing on behalf of other candidate in the Board Examination wherein she was caught red handed and thereby the offence is committed.
3. Learned counsel for the applicant submits that the charge sheet has been filed on 20.06.2016 and no further evidence is required. He further submits that the applicant is in jail since 28.04.2016 and the offences are bailable, therefore, she may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.

5. Perused the case diary and other documents.
6. Taking into fact that charge sheet in this case has been filed; offences are bailable and looking to the period of detention as the applicant is stated to be in jail since 28.04.2016, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her 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. She will also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE