

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 544 of 2016

- Ku. Runam Mishra D/O Dilip Mishra Aged About 27 Years R/O Quarter No. 1 B/ 157 S.E.C.L. Colony Vishrampur P.S. Vishrampur Distt. Surajpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Surajpur Police Station District Surajpur Chhattisgarh

---- Respondent

For Applicant : Mr. Ajay Mishra, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29-07-2016

1. This application under Section 438 of Cr.P.C has been filed by the applicant apprehending her arrest in connection with Crime No. 263 of 2015 registered at Police Station Surajpur, District Surajpur (CG) for offence punishable under Sections 420, 467, 468, 471, 120-B of the IPC and Section 13(1)G, & 13 (2) of the Prevention of Corruption Act.
2. Case of the prosecution, 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, it was found that the applicant has not submitted any certificate, but was given marks and she was provided with job and as such with connivance of officers she procured the job and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant is a lady of 100% disabled which would be evident from the certificate which is filed as Annexure A/3. He would further

submit that in fact the applicant has not procured the employment on any false pretext or certificate and she has produced all the genuine certificates, therefore considering the fact that the applicant being a lady of 100% disabled, may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary and documents
6. Perusal of the certificate (Annexure A/3) goes to show that the applicant is 100% disabled.
7. Considering the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that the applicant is a lady of 100% disabled, I am inclined to extend the benefit of anticipatory bail to the applicant.
8. 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, she shall be released on bail by the officer arresting her on her executing a personal bond in the 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 herself 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 him/her 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 her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju