

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 631 of 2016

1. Karan Singh Karasolia, S/o. Late M.L. Karasolia, aged 54 years, Sub-Divisional Officer, at – P.H.E. Sub-Division, Kharsiya, District - Raigarh (C.G.), R/o. Kharsiya, P.S. Kharsiya, District – Raigarh (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, through, Police Station – Chakradhar Nagar, Raigarh, District – Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Rajesh Kumar Kesharwani, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/08/2016

1. Apprehending arrest in connection with Crime No.179/2016 registered at Police Station – Chakradhar Nagar, Raigarh District – Raigarh (C.G.), for offence punishable under Section 420, 467, 468 & 471 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the allegation against the applicant is that while he was working as Executive Engineer in P.H.E. certain notice inviting tender were published on 18.06.2014 and 19.06.2014 but actually the tenders were not at all published in the paper and without publication of the tender in the paper on the basis of forged documents, tender process were carried out. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant has has sent the tender for the publication by letter dated 02.06.2014 and 12.06.2014, which was duly received by the Publication Department, Raipur, therefore, the applicant having sent the tender, if it has been manipulated at the instance of the Public Relation Department, the applicant can not be held liable and he has discharged his duties. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The case diary shows that disputed tender which was bearing G.No.12124 and 12154 with respect to P.H.E., Raigarh were never issued by the Publication Department and primary enquiry paper shows that the applicant along with other person have manipulated the seal and the documents. Considering the facts and circumstance of the case, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge