

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7386 of 2015

Dudhnath Singh S/o Sukhsai, Aged About 29 Years, Caste Gond, R/o
Lachchha, P.S. Surajpur, Distt. Surajpur, District Surajpur Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Surajpur, Distt. Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:-	Shri D.N. Prajapati, Advocate
For Respondent/ State	:-	Shri Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05.01.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 263/2015 registered at Police Station- Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 420,467,468,471,120-B read with section 13(1) (D) 13(2) of Prevention of Corruption Act.
2. The prosecution story, in brief, is that the applicant namely Dudhnath Singh was appointed as Shiksha Karmi Grade-3 at Janpad Panchayat Surajpur in the year 2007. The applicant was given marks on account of his experience certificates though he was not entitled for the same, however, in collusion with Evaluation Committee Members, the applicant has obtained employment, thereby the eligible candidates were deprived of the selection. Hence, the offence under the aforesaid sections have registered against the applicant.
3. Learned counsel for the applicant denies the prosecution case and submits that the applicant has not submitted any forged certificates/

documents and he was appointed by way of proper selection procedure. He further submits that initially the issue was taken up in the writ jurisdiction wherein registration of FIR was stated. He further submits that the Evaluation Committee makes the report and gives the number and on the basis of rules of Panchayat Shikshakarmis (Recruitment and Conditions of Services) Rules 1997, the Selection Committee selects the candidates and subsequently they were given employment to the applicant. He further submits that in the year 2007 the appointments were said to be made and after lapse of 8 years, the applicant has been inculpated in the crime. He further submits that the charge sheet in this case has already been filed.

4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the nature of offence and the degree of allegations level against the applicant and the fact the applicant is in jail since 19.10.2015 this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. are allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

