

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 652 of 2017**

Ramesh Kumar Rajput S/o Ramkhilawan Rajput, Aged About 48 Years
R/o Village Pendri, Tahsil & Police Station Navagarh, District Bemetara
(Chhattisgarh).

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Gol Bazar, District
Raipur (Chhattisgarh).

---- Respondent**M.Cr.C.(A) No. 692 of 2017**

Vijay Mishra S/o Shri Babulal Mishra, Aged About 40 Years R/o
Brahman Para, Than-Khamariya District Bemetara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Civil Line District Raipur Chhattisgarh.

---- Respondent

For the Applicants	:	Ms. Sharmila Singhai and Shri Mateen Siddiqui, Advocates.
For the Respondent/State	:	Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.11.2017**

1. Both these applications are being decided by this common order as they arise from the similar incident. These are the first bail applications under Section 438 of Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with Crime Nos. 79 of 2017 and 1422 of 2017 registered at Police Stations – Gol Bazar and Civil Lines, District – Raipur, Chhattisgarh for the offences punishable under Sections 420, 467. 468 and 471 of the Indian Penal Code.

2. It is submitted by counsel for the applicants that the applicants are innocent and have been falsely implicated in this case. There is no iota of evidence against them in the case registered and investigated so far. It is only on the statement made by the co-accused persons that they have been implicated. Hence, it is prayed that the applicants be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that the applicants in both the cases are absconding as per the memorandum statement of the co-accused persons. Applicant- Ramesh Kumar Rajput provided the fake and forged mark-sheets to the co-accused to be submitted alongwith the application for job and the said forged mark-sheets in original were taken back by the applicant/ accused persons. It is submitted that the arrest of these applicants is essential for this case as the recovery of the said forged mark-sheets has to be made from these applicants for the purpose of investigation. Hence, it is prayed that the applicants are not entitled for grant of anticipatory bail.

5. Heard counsel for both the parties and perused the case diary.

6. As per the facts of the case, advertisement was published by District Panchayat, Raipur for direct appointment to the various posts. The co-accused persons in these cases applied for the said posts and took help of these applicants to supplement the mark-sheets of the qualification that had not been obtained by them, for which fake and forged mark-sheets were

supplied by these applicants after receiving an amount for the same. The copy of the forged mark-sheets in originals were used for verification of the copy submitted with the application and thereafter the so-called originals were given back by these applicants. On verification, made by District Panchayat, Raipur the said mark-sheets had been found to be forged. Hence, the case has been registered against the applicant and the co-accused persons.

7. Considering the facts and circumstances of the case, I am of the view that benefiting the applicants with anticipatory bail would be detrimental to the investigation of this case. Hence, for this reason, the applicants in both the cases do not deserve to be benefited with grant of anticipatory bail. Hence, both the applications filed under Section 438 of Cr.P.C. are rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge