

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1729 of 2017

- Chandrashekhar Kashyap , Boloram Kashyap, Aged About 44 Years R/o Pacheda, Post Office Dhurkot, Tahsil- Janjgir, District- Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through, Station House Officer, Police Station-Gol Bazar- Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. K.K. Dewangan, Advocate

For Respondent/State : Mr. Shashank Thakur, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15-06-2017

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 on 13-2-2017 in connection with Crime No. 37 of 2017 registered at Police Station Gol Bazar, Raipur, District Raipur (CG) for the offence punishable under Sections 420, 468 and 471 of the IPC.
2. As per the prosecution case, the applicant on the application has applied for the post of Librarian in the Zila Panchayat, Raipur in the year 2013 and got the job on the basis of mark-sheet of B.Lib and Isc. of Gurughasidas University, Bilaspur. Subsequently, when the marksheet was verified, it was found that the said mark-sheet is forged, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no documents were supplied at the time of procurement of employment. It is further submitted that the investigation is already completed and all the evidences are documentary in nature and the applicant is in jail since 13.02.2017. He would further submit that the

case of the present applicant is similar to that of other co-accused namely Keshari Kuymar Sahu, who has been granted bail vide order dated 22-3-2017 passed by this Court in M.Cr.C.No. 1529 of 2017, therefore, the present applicant may also be released on bail on the ground of parity.

4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicant is similar to that of other co-accused who has been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicant and considering the fact that charge-sheet has been filed, the applicant is in jail since 13-2-2017 and further considering the fact that similarly placed other co-accused has been granted bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the 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. In view of the above, I.A. No.1 of 2017, application for urgent hearing and I.A.No.2 of 201, application for hearing during summer vacation stand disposed of.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Vacation Judge

Raju