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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 323 of 2017**

Smt. Kamini Verma W/o Gopendre Verma, Aged About 36 Years R/o Balaji Colony, Mandir Hasuad, District Raipur, Chhattisgarh.

-----Applicant

Versus

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

---- Respondent

MCRC (A) No. 324 of 2017

Ku. Parmeshwari Sahu D/o Hiraram Sahu Aged About 23 Years R/o Village Murta Thana Navagarh, District Bemetara, Chhattisgarh.

-----Applicant

Versus

State of Chhattisgarh Through Police Station Goal Bazar, Raipur, District Raipur, Chhattisgarh.

-----Respondent

MCRC (A) No. 339 of 2017

Smt. Syanti Bhaskar W/o Dev Bhaskar, Aged About 36 Years R/o Hc/ 1194, Dev Prasad Bhaskar Chief Minister Residence Raipur, District-Raipur, Chhattisgarh.

-----Applicant

Versus

State of Chhattisgarh Through : Station House Officer, P.S. Gol Bazar, District - Raipur, Chhattisgarh.

-----Respondent

&**MCRC (A) No. 350 of 2017**

Smt. Sangeeta Shrivastava W/o Ashish Shrivastava Aged About 25 Years D/o Shree Ram Narayan Shrivastava, R/o Shubhash Chowk, Ward No. 24, Dalli-Rajhara, District- Balod, Chhattisgarh.

-----Applicant

Versus

State of Chhattisgarh Through Police Station Goal Bazar, Raipur, District-Raipur, Chhattisgarh.

-----Respondent

For Applicants	:	Ms. Sharmila Singhai and Shri Mateen Siddique, Advocates.
For Respondent	:	Shri Ashish Shukla, Govt. Advocate, Shri Ashok Swarnakar, Shri Arvind Shukla and Shri Neeraj Mehta, Panel Lawyers.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

10/05/2017

1. Since all the bail applications arise out of a same crime, therefore, they are being disposed of by this common order.
2. The applicants have filed these applications for grant of anticipatory bail as they are apprehending their arrest in connection with Crime Nos. 77/2017, 78/2017, 73/2017 and 16/2017 respectively, registered at Police Station, Gol Bazar, Raipur, for the offences punishable under Sections 420, 467, 468 and 471 IPC.
3. The allegation against the applicants, as per prosecution is that, the applicants way back in the year, 2013, is said to have applied for appointment to the post of Librarian. In the course of submission of application for the said post, the present applicants is said to have furnished the fake documents pertaining to their qualification of B.Lib. and Information Science. Subsequently, on account of complaint being made, verification/inquiry was conducted and it was found that the document enclosed so far as their qualification pertaining to B. Lib. were found fake. On the basis of said inquiry, the order of appointment/selection of the applicants for the said post got

cancelled and it was also ordered for initiating criminal action against the applicants. Though the complaint was received as early as in the year, 2013, an FIR in fact has been lodged only in the year, 2017.

4. Learned counsel appearing for the applicants submitted that in four years of time, there is vast change in circumstances and development that has transpired forcing the applicants to seek anticipatory bail. The applicants have not reaped the fruits from the alleged fake document and that they have not received a single month salary by which it can be said that they had cause loss to the State exchequer. It is also submitted by the counsel for the applicants that the applicants had all entrusted the job of filling up of the application to one Munna Lal Chandrakar. It was he who had created the fake document in the process of filling up of the applications for said appointment. They were not aware as to how Munna Lal was filling up forms for the purpose of granting employment.
5. It was lastly contended that since all the applicants are ladies and could not get appointment in the said advertisement, in due course of time have got married and are living a smooth family life, in the event if they are taken into custody, the entire family life of the applicants would get jeopardized. The applicant-Ku. Parmeshwari Sahu (in MCRC(A) No. 324 of 2017) is likely to get married very soon and if she is taken into custody, it would be very difficult to settle down in her life and would always be carrying the stigma of being a person who has gone to jail.

6. The State counsel, however, opposes the applications on the ground that there is direct evidence available on record that it was these applicants who had applied for the post and that they have used fake documents for the purpose of getting employment. An inquiry was conducted and during the course of inquiry also the allegations levelled against the applicants were found to be correct. Thus, the applicants do not deserve any sympathy and their bail applications be rejected.
7. Considering the facts and circumstances of the case, more particularly the fact that the applicants herein are the ladies and they have not been able to reap any benefit from the fake document, and also taking into consideration the fact that the applicants, in due course of time, got married/likely to get married, and have settled down in life, if they are taken into custody for interrogation, their future is likely to be tarnished. Further, since the entire investigation has already been completed or, if not, at the verge of completion, there is no necessity for any custodial interrogation. On the contrary, the applicants have undertaken to provide full cooperation to the investigating agency and they shall participate and cooperate with the investigating agency whenever they called. Therefore, in the opinion of this court, these are fit cases to grant anticipatory bail to the applicants.
8. Accordingly, the bail applications are allowed. It is directed that in the event of arrest, the applicants shall be released on bail on each of

them furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:

1. that the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required.
2. that the accused/applicants 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 them from disclosing such facts to the Court or to any police officer;
3. that the accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
4. that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Judge

inder