

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3264 of 2017

- Saddam Mansuri S/o Jamaruddin Mansuri, Aged About 24 Years R/o Infront Of Water Resource, Jail Road , Ramanujganj, District- Balrampur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station -Kotwali, District- Rajnandgaon, Civil And Revenue District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate
For Respondent/State : Mr. Neeraj Jain. Government Advocate

Hon'ble Shri Rajendra Chandra Singh Samant

Order On Board

21/11/2017

1. Heard the matter finally.
2. 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. 806/2016, 19.11.2017 registered at Police Station – Kotwali Rajnandgaon, (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 201, 34 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no recovery of original forged mark sheet has been made from the applicant. He is a local resident of Ramanujganj, District – Balrampur (C.G.) and there is no difficulty in getting his presence during the trial. Hence, the applicant may be enlarged on bail.

4. Learned State counsel opposes the bail application and the submission made in this respect. It is submitted that there is clear and categorical statements of the witnesses against the applicant and he is not entitled for grant of bail.
5. Heard counsel for the party and perused the case diary.
6. The facts of the case are that the advertisement was published for appointment of peon in Collector office, Rajnandgaon. The applicant presented his application along with Mark Sheet of 8th Class, which on verification was found to be forged. On this basis, the offence was registered against the applicant and after investigation, charge-sheet has been filed.
7. Considering the material against the applicant in the prosecution case and that the offence is triable by Judicial Magistrate First Class, the applicant is a resident of State of C.G, the applicant is entitled for grant of bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with on surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge