

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 449 of 2017**

- Krishna Kumar Tiwari S/o Late Jagdish Prasad Tiwari Aged About 41 Years (Mentioned In The Order Impugned As Jagdish Prasa Tiwari), R/o Village- Hatwa, Post Devkar, P. S. Saja, District - Bemetara (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through : S. H. O. , P. S. Gol Bazar, District - Raipur (Chhattisgarh)

---- Respondent

For Applicant	:	Shri MPS Bhatia, Advocate.
For Respondent	:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.6.2017**

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 36/2017 registered at Police Station Gol Bazar, Distt. Raipur, for the offence punishable under Sections 420, 467, 468, 471, 201 of the Indian Penal Code.
2. As per the case of the prosecution, the present applicant in connivance with other co-accused persons is said to have made available fake and forged documents and given to the candidates who are seeking employment on the post of Librarian in Zila Panchayat, Raipur.
3. Learned counsel appearing for the applicant submits that only

incriminating material available against the present applicant is the memorandum statement of co-accused Omkar Prasad Sahu and except the memorandum statement of Omkar Prasad Sahu, the State counsel has submitted that as on now no other material is available in the case diary so as to implicate him in the said offence. Counsel for the applicant further submits that co-accused Omkar Prasad Sahu in whose memorandum reflects the name of present applicant has already been granted bail by this Court.

4. On the other hand, learned counsel for the State opposes the bail application on the ground that material documents are yet to be recovered and that the nature of allegation against the present applicant is very serious, therefore, he does not deserves to be released on bail.

5. Having heard learned counsel for the parties, considering the facts and circumstances, particularly taking note of the statement of counsel for the State that except the memorandum statement of Omkar Prasad Sahu, there is no other material available to implicate the present applicant in the offence, hence, this court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:

1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;

2. The accused/applicant 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 him/her from disclosing such facts to the Court or to any police officer;
3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
4. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge