

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3663 of 2017

- Vedram Sahu S/o Ratan Sahu, Aged About 34 Years Caste Teli, R/o Village Narodi, Post Office Rakse, Police Station Sahaspur Lohara, Tahsil, Civil & Revenue District Kabirdham, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Bande Civil & Revenue District Uttar Bastar Kanker, Chhattisgarh.

---- Respondent

AND

MCRC No. 4156 of 2017

- Ajay Pandey S/o Kapil Dev Pandey, Aged About 60 Years Caste Bramhan, R/o Near Bus Stand Gandai, Tahsil Chhuikhadan, District Rajnandgaon (Chhattisgarh)

---- Petitioner

Versus

- State Of Chhattisgarh Through : Police Station Bande, District Kanker (Chhattisgarh)

----Respondent

AND

MCRC No. 4179 of 2017

- Virendra Yadav S/o Rajdev Yadav Aged About 53 Years (Wrongly Mentioned As Rajendra) Aged About 53 Years, R/o Village Bairia Tahsil Bairia (Wrongly Mentioned As Boriya) District Ballia, Uttar Pradesh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Police Station Bande, District North Bastar Kanker, Chhattisgarh.

For Applicant MCRC No. 3663/17 :	Dinesh Tiwari, Advocate
For Applicant MCRC No. 4156/17 :	Sushil Dubey, Advocate
For Applicant MCRC No. 4179/17 :	P.K. Tulsyan, Advocate
For Respondent/State :	O.P. Sahu. Government Advocate

Hon'ble Shri Rajendra Chandra Singh Samant

Order On Board

27/11/2017

1. Heard the matter finally.
2. As all these three MCRC arise out of the same crime number, i.e., Crime No. 13/2017 registered at P.S. Bande, District-Kanker (C.G.), for the offence under Sections 420, 465, 467, 471, 474 and 34 of Indian Penal Code, they are decided by this common order.
3. It is submitted by counsel for applicant Vedram Sahu in MCRC No. 3663/217 that the applicant is falsely implicated in this case, the mark-sheet that has been verified and reported as fake is true mark-sheet on which the applicant still rely upon. The applicant was terminated from the post of Lecturer by Jila Panchayat Kanker. The applicant is still challenging that decision before the appellate authority . The applicant is in jail since 19-02-2017. There is no likelihood of his absconding. Hence, it is prayed that this applicant may be enlarged on bail.
4. Learned counsel for the applicant Ajay Pandey in MCRC No.4156/2017 submits that the applicant has been falsely implicated in this case and there is no evidence against him in the material collected by the prosecution. He has been implicated only on the basis of memorandum statement given by co-accused Vedram Sahu. Hence, no case is made out against this applicant and it is prayed that applicant Ajay Pandey may be granted bail.

5. On behalf of applicant Virendra Yadav in MCRC No.4179/2017 it is submitted that he is a Govt. teacher who has been falsely implicated in this case only on the basis of memorandum statement of co-accused Vedram Sahu. Apart from that, there is no evidence against him, hence, the applicant may be benefited with grant of regular bail.
6. Learned State counsel opposes the bail applications and the submissions made and submits that applicant Vedram Sahu made use of forged mark-sheet to obtain the post of Lecturer in Jila Panchayat Kanker and he was assisted by co-accused/applicant Ajay Pandey for procuring the forged mark-sheet, which was in turn got prepared by co-accused/applicant Virendra Yadav, this is clear from the confessional statements of the accused persons. Hence, it is submitted that all the applicants are not entitled for grant of bail.
7. Heard counsel for the party and perused the case diary.
8. Facts of the case are that applicant Vedram Sahu had applied for appointment to the post of Lecturer in Jila Panchayat Kanker by filing the mark-sheet of MA, English Literature. On verification from the university concerned, the mark-sheet was found to be forged mark-sheet, because of which applicant Vedram Sahu was terminated from his service and subsequent to this, FIR has been registered against him and co-accused persons.
9. Considering the submissions and the contents of the case diary and looking to the nature of the evidence that is proposed to be made use in the trial against the applicants, I

am of this view that this is a fit case where the applicants should be enlarged on bail.

10. Accordingly, the bail applications filed under Section 439 of Cr.P.C. by the applicants are allowed.
11. It is directed that the applicants Vedram Sahu and Ajay Pandey shall be released on bail on each of them 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 their appearance as and when directed.
12. As applicant Virendra Yadav in MCRC No.4179/2017 is resident of Ballia, Uttar Pradesh, it is directed that he shall be released on bail on his furnishing a personal bond for a sum of Rs. 25,000/- with two local sureties in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
13. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge