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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4816 of 2017**

Krishna Kumar Tonde S/o Shri Sher Singh Tonde, Aged About 36 Years R/o Village Khairwarkhurd, Police Station and Tahsil Lormi, District Mungeli Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer Police Station Gole Bazar, Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 4848 of 2017**

1. Chandresh Dewangan S/o Shri Manharan Dewangan, Aged About 41 Years R/o New Shanker Nagar, Sarswati Vidya Pith Gali, Ward No. 10, Police Station Mohan Nagar, Durg, Tahsil & District Durg, Chhattisgarh.
2. Chandra Bhushan S/o Rajaram Nishad, Aged About 29 Years R/o Village Pitoura, Police Station Nandni, District Durg, Chhattisgarh.
3. Smt. Kamini Nishad W/o Chandrasen Nishad, Aged About 32 Years R/o Village Pitoura, Police Station Nandni, District Durg, Chhattisgarh.

---- Applicants**Vs**

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

---- Respondent**And****M.Cr.C.No. 4874 Of 2017**

Laxminarayan Lahri S/o Mansharam Lahri Aged About 44 Years R/o Village Hardi, Police Station Berla, District Bemetara, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station Golbazar, District Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 5052 Of 2017**

Satish Kumar Dhiwar S/o Puna Ram Dhiwar, Aged About 36 Years R/o Gram & P. O. Semartal, P. S. Koni, District Bilaspur Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh Through P. S. Golbzar District & Revenue District Raipur Chhattisgarh.

---- Respondent

And

M.Cr.C.(A) No. 690 Of 2017

Muktanand Sharma S/o Shri Kamal Narayan Sharma, Aged About 36 Years R/o Gram Post Navapara, Tahsil Simga, District Baloda Bazar Bhatapara (Chhattisgarh).

---- Applicant

Vs

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

---- Respondent

And

M.Cr.C.(A) No. 675 Of 2017

Thaneshwari Jaiswal D/o Shri Heeraman Jaiswal, Aged About 25 Years W/o Shri Krishna Jaiswal, R/o Choorbhatti, Police Station Saja, District Bemetara, Chhattisgarh

---- Applicant

Vs

State Of Chhattisgarh Through Police Station Gol Bazar, Raipur, District Raipur, Chhattisgarh

---- Respondent

And

M.Cr.C. No. 5327 Of 2017

Pawan Kumar Bhagat S/o Shri Bhushan Bhagat, Aged About 31 Years R/o Camp-1, Shastri Chowk, Bhilai, Police Station Chhawani, Bhilai, District Durg, Chhattisgarh, Mobile No. 9993409333

---- Applicant

Vs

State Of Chhattisgarh Through Station House Officer, Police Station Gole Bazar, District Raipur, Chhattisgarh

---- Respondent

And

M.Cr.C. No. 5026 Of 2017

Ajay Singh Thakur S/o Late Kejan Singh Thakur Aged About 36 Years
R/o Gram Semartal, P.S. Koni, District- Bilaspur, Chhattisgarh Mob.
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---- Applicant**Versus**

State Of Chhattisgarh Through: Police Station Gol Bazar, District &
Revenue District Raipur, Chhattisgarh

---- Respondent**And****M.Cr.C. No. 6722 Of 2017**

Bhikhuram Satnami S/o Shri Sant Ram Tandon Aged About 26 Years
R/o Village Birkoni, Ward No. 2, Police Station And Tahsil Pandariya,
District Kabirdham, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through: Station House Officer, Police Station
Gole Bazar, Raipur, District Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 6760 Of 2017**

Omkar Banjara S/o Janakdas Banjara Aged About 42 Years (Wrongly
Mentioned As Janakram Banjara In Order Sheet), R/o Village
Nayaranpur, Police Chowki Fasterpur District Mungeli Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent**And****M.Cr.C. No. 6999 Of 2017**

1. Sundar Lal Sahu S/o Dhaneshwar Sahu, Aged About 36 Years R/o
Village Patora (Patour), Near School, Police Station Khamariya,
District Bemetara, Chhattisgarh
2. Hardatt Sahu S/o Devdatt Sahu, Aged About 25 Years R/o Village
Gatapaar, Police Station Khamariya, District Bemetara, Chhattisgarh

---- Applicants

Versus

The State Of Chhattisgarh Through Police Station Goal Bazar Raipur,
District Raipur, Chhattisgarh

---- Respondent

For the Applicants	:	Shri Himanshu Kumar Sharma, Advocate on behalf of Shri Malay Kumar Bhaduri, Shri Mateen Siddiqui, Shri P.P. Sahu and Shri Rajesh Kumar Tiwari, Advocates.
For the Respondent/State	:	Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

09.11.2017

1. Heard.
2. All these applications are being decided by this common order as they arise from the similar incident. M.Cr.C. Nos. 4816 of 2017, 4848 of 2017, 4874 of 2017, 5052 of 2017, 5327 of 2017, 5026 of 2017, 6722 of 2017, 6760 of 2017 and 6999 of 2017 filed under Section 439 of the Code of Criminal Procedure, 1973 are the first bail applications filed by the applicants for grant of regular bail to them, who have been arrested in connection with Crime No. 178 of 2017 and M.Cr.C. No. 5026 of 2017 is in relation to Crime No. 23 of 2017 registered at Police Station – Gol Bazar, Raipur, District – Raipur, Chhattisgarh for the offences punishable under Sections 420, 467, 471 and 468/ 34 of the Indian Penal Code. M.Cr.C.(A) Nos. 690 of 2017 and 675 of 2017 are the first applications under Section 438 of Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with the aforesaid offence. The case has been investigated and the charge-sheet has been filed.

3. Learned counsel for the applicants submit that the applicants have been falsely implicated in these cases. The case is triable by the Judicial Magistrate First Class. The applicants in all these cases have received appointment from Jilla Panchayat, Raipur and consequent to verification of the mark-sheets submitted by them, some of them were found to be fake. The applicants have either resigned from the job or not joined the job. The trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicants may be benefited with grant of bail.

4. Learned counsel for the applicants submit that in M.Cr.C.(A) Nos. 690 of 2017 and 675 of 2017 the applicants are apprehending arrest in connection with the criminal case as mentioned above. The applicants are innocent and have been falsely implicated in this case.

5. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that the applicants in these cases have made use of fake mark-sheets. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

6. Heard counsel for both the parties and perused the case diary.

7. The case against the applicants is that the advertisement for various posts of Panchayat Teachers, Librarian and Lecturers was published by Jilla Panchayat, Raipur. The applicants have applied for the said post and submitted their testimonials. Some of the testimonials of the applicants was found forged and thereafter, the complaint was made. The case was registered and the charge-sheet has been filed.

8. In similar matters, this Court and Co-ordinate Bench of this Court have granted bail for various accused persons in connection with the appointment to the posts in Jilla Panchayat, Raipur.

9. Considering the submissions made and the contents of the case diary, also considering that the case against the applicants in all these cases is triable by the Judicial Magistrate First Class and the fact that in similar matters some of the accused persons have been benefited with grant of bail, the bail applications deserve to be allowed. Therefore, the applicants in M.Cr.C. Nos. 4816 of 2017, 4848 of 2017, 4874 of 2017, 5052 of 2017, 5327 of 2017, 5026 of 2017, 6722 of 2017, 6760 of 2017 and 6999 of 2017 are entitled for grant of regular bail and applicants in M.Cr.C.(A) Nos. 690 of 2017 and 675 of 2017 are also entitled for grant of anticipatory bail. Hence, the bail applications are allowed.

10. Accordingly, the bail applications filed under Sections 439 and 438 of the Cr.P.C. are allowed.

11. It is directed that applicants – Krishna Kumar Tonde, Chandresh Dewangan, Chandra Bhushan, Smt. Kamini Nishad, Laxminarayan Lahri, Satish Kumar Dhiwar, Pawan Kumar Bhagat, Ajay Singh Thakur, Bhikhuram Satnami, Omkar Banjara, Sundarlal Sahu and Hardatt Sahu in M.Cr.C. Nos.4816 of 2017, 4848 of 2017, 4874 of 2017, 5052 of 2017, 5327 of 2017, 5026 of 2017, 6722 of 2017, 6760 of 2017 and 6999 of 2017 shall be released on bail on each of them 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 their appearance as and when directed.

12. It is directed that in the event of arrest of applicants – Muktanand Sharma and Thaneshwari Jaiswal in M.Cr.C.(A) Nos. 690 of 2017 and 675 of 2017 in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :

- (i) that the applicants shall make themselves available for interrogation before the Investigating Officer as and when required;
- (ii) that the 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 him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge