

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6819 of 2017**

Roop Chand Sahu, S/o. Late Mantaru Sahu, aged about 44 years, R/o. Saragaon Bhatapara, P.S. - Kharora, District – Raipur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through : the Police Station - Kotwali, District -Bastar, Chhattisgarh

---- Respondent

For Applicant : Mr. P.K. Tulsyan, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**07/12/2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.243/2017, registered at Police Station – Kotwali, District – Bastar (C.G.) for the offence punishable under Section 420, 467, 468, 471 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated only for the reason that he submitted a domicile certificate, which did not belong to him. This was bonafide

mistake and there had been no intention of the applicant to commit any kind of offence. Applicant is in jail since 21.06.2017 and after filing of the charge-sheet, the case is before the trial Court and the trial of the case is likely to take sometime for its conclusion, therefore, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has tried to procure a job in Maharani Hospital, Jagdalpur by filing fake domicile certificate for the purpose of showing that he belongs to the District – Bastar, hence, the offence is of grave in nature, therefore, the applicant is not entitled to be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The facts of the case are that the applicant filed an application along with mark-sheet and certificates in Maharani Hospital, Jagdalpur for appointment to the post of Ward Boy. On verification, it was found that domicile certificate submitted by the applicant belonged to some other person and that certificate was issued reflecting that residence of applicant is different from the one mentioned in the domicile certificate. On the information of the hospital authorities, the case has been registered against the applicant.
6. Considered the submissions and the contents of the case diary. The case against the applicant is triable by Judicial Magistrate First Class, applicant is in jail since 21.06.2017 and the trial of the case is likely to take sometime for its conclusion, hence for this reason only, this Court is of the opinion that present is a fit case, in which, the applicant

should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge