

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7703 of 2016

- Devnarayan Dewangan S/o Bharat Bhushan Aged About 30 Years R/o Village Somajhitia, Dongargaon, Police Station, Dongargaon, Post And Tehsil Rajnandgaon, District Rajnandgaon Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through : Police Station Churia, District Rajnandgaon Chhattisgarh

---- **Respondent**

For Applicant : Mr. Anurag Singh, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10-01-2017

1. 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 on 1-10-2016 in connection with Crime No. 231 of 2016, registered at Police Station Churia, District Rajnandgaon (CG) for the offence punishable under Sections 420, 467, 468, 484 read with Section 34 of the IPC and Section 66 of the Information Technology Act, 2000.
2. Case of the prosecution, in brief, is that a report was made by Avinash Dhoi, SDO, Dongargarh that forged caste certificate was prepared by Rikhidas Vaishnav along with present applicant by using reference number of Ku. Priyanka and issued forged caste certificate for daughter Wahid Ahmad on the same reference number and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the applicant was running a computer shop in the name of Sagar Computers, the main allegation is against Rikhidas Vaishnav who is a document writer

and at his instance different caste certificates were issued by saving the reference number of Ku. Priyanka, who is the daughter of Rikhidas Vaishnav in pen-drive. He would further submit that the applicant has not committed any offence and Rikhidas Vaishnav, who is a document writer, has issued forged caste certificates. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 1-10-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the memorandum statement of Rikhidas Vaishnav.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the memorandum statement of Rikhidas Vaishnav and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 1-10-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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/-
(Goutam Bhaduri)
Judge

Raju