

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 42 of 2018

- Rishi Kumar Banjare S/o Shri Malika Ram Banjare, Aged About 40 Years, R/o Gram Tura Semariya, Post-Village-Tehsil Nawagarh, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Raipur Chhattisgrh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Mateen Siddiqui, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-04-2018

1. Apprehending arrest in connection with Crime No.72/2017, registered at Police Station – Gol Bazar, District Raipur, Chhattisgarh for offence punishable under Section 420, 467, 468 and 471 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted on behalf of the applicant that the applicant is innocent and he has been falsely implicated in this case only on the basis of memorandum statement given by co-accused person. No case is made out against him, according to the material present in the case under investigation. Hence, it is prayed that this applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. I have heard the learned counsel for the parties and perused the case diary.

5. As the case is, co-accused Annulal Khande applied for the post Librarian in Jila Panchayat Raipur submitting the documents, along with that mark sheet of B.Lib & ISc purported to be issued by Guru Ghasidas University, Bilaspur was also filed, the co-accused got the appointment. But, subsequently,

when the credentials were verified, it was found that the said mark sheet of the Guru Ghasidas University, Bilaspur was forged and fake. After lodging of the FIR the co-accused was apprehended and he made statement that the forged document was supplied to him by this applicant. Hence, this case.

6. Considered on the submissions made and contents of the case diary.

7. Perused the entire material present in the case diary. There appears to be no further investigation apart from the statement given by the co-accused person in the memorandum to the police. Hence, for this reason, I am of this view that this applicant should be benefited with grant of anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him 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 applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the 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;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge