

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 104 of 2018**

Ajay Kumar Kashyap, S/o. Late Shri Sarju Prasad Kashyap, Aged About 25 Years, R/o. Shivghat Beside Little Master School, Ratanpur Road, Police Station - Sarkanda, Civil and Revenue District -Bilaspur, Chhattisgarh. Mob. No. 9827168563.

---- Applicant

Versus

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

---- Respondent

M.CR.C. No. 110 of 2018

Ajay Kumar Kashyap, S/o. Late Shri Sarju Prasad Kashyap, Aged About 25 Years, R/o. Shivghat Beside Little Master School, Ratanpur Road, Police Station Sarkanda, Civil And Revenue District Bilaspur Chhattisgarh Mob. No. 9827168563.

---- Applicant

Versus

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

---- Respondent

AND**M.CR.C. No. 124 of 2018**

Ajay Kumar Kashyap, S/o. Late Shri Sarju Prasad Kashyap, Aged About 25 Years, R/o. Shivghat Beside Little Master School Ratanpur Road, Police Station -Sarkanda, Civil and Revenue District -Bilaspur, Chhattisgarh. Mob. No. 9827168563

---- Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Vinod Tekam, Advocates
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/03/2018

1. All the bail applications are heard and decided together by this common order as they are arising out of the similar type of incident.
2. These are 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.20/2017, 17/2017 and Crime No.16/2017 respectively registered at Police Station – Gole Bazar, Raipur, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B, 201, 34 of the Indian Penal Code.
3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The allegation against this applicant is this that he has supplied the forged mark-sheet of B.Lib and ISC to the candidates, who used that in turn to apply for the job in the Zila Panchayat, Raipur. There is no evidence against this applicant in the whole record of the charge-sheet filed against him. On the basis of the memorandum statement of one of the co-accused person, seizure of the documents was made from this applicant is only some photocopies of the document. The charge-sheet in these cases have been filed and the applicant is in jail for quite sometime, he is ready to abide by all the conditions, which may be imposed for grant of bail while releasing him on bail, therefore, it is

prayed that the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant was the person, who is responsible for all the cheating committed by other accused persons by submitting the forged documents for obtaining the job in Zila Panchayat, Raipur, hence, he is not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. In all three cases, the complainant is CEO, Zila Panchayat, Raipur. According to co-accused persons Roshan and others, Gangotri Yadav and others and Ku. Sangeeta Shrivastava and others submitted forged documents of B.Lib and ISC for obtaining job. On verification, the said documents were found to be forged. After lodging of FIR during the investigation, the co-accused persons have in their memorandum named this applicant that he has supplied the forged documents to be submitted for obtaining the job.
7. Considered the submissions made and the contents of the case diary of all the cases. As it appears, the co-accused persons in this case and in others case have been granted bail and it also appears that similarly placed co-accused persons, who have been alleged to have supplied such documents have also been released on bail, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. 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 in each cases.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram