

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6363 of 2017**

Bhuneshwar Prasad Shukla, S/o. Shri Nand Kumar Shukla, aged about 44 years, R/o. Hal Mukam - Mansarovar Colony, Padum Nagar Road, Thana – Bhilai -3, District – Durg (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station – Gole Bazar, District – Raipur (C.G.), Chhattisgarh

---- Respondent

For Applicant : Mr. Mateen Siddiqui, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**08/01/2018**

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.78/2017, registered at Police Station – Gole Bazar, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case only on the basis of the statement given by co-accused persons. Seizure of the photocopy

of the mark-sheet, which are alleged to be fake and forged does not implicate the applicant in any manner as no investigation has been done to find out the original forged mark-sheet and the author of those forged mark-sheet, hence, it is prayed that applicant 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 applicant had been the provider of the fake mark-sheet to the candidates for the respective post for which they had applied and he had been instrumental in collecting money from the candidates to get them appointment for the post applied by them, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Various vacancies were advertised by the Zila Panchayat, Raipur to which co-accused persons namely Keshari Sahu and Parmeshwari Sahu and others applied for the job by filing mark-sheet etc. After verification, the mark-sheet of the qualification of B.Lib.Sc. purported to be issued by the Guru Ghasidas University was found to be forged documents. The co-accused persons given statement that they were provided with the fake documents by this applicant on the basis of which, he has been made accused in this case.
6. Considered on the submissions made and the contents of the case diary. It has been informed by the counsel for the applicant that in similar case, applicant has been benefited with grant of bail by order dated 14.12.2017 by the Coordinate Bench of this Court.

7. Considering the facts and circumstances of the case and further looking to the nature of evidence i.e. proposed to be brought against the applicant in the trial, 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 application filed under Section 439 of the Cr.P.C. is 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge