

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 2977 of 2018

- Bhimrao Kathane S/o Late Shree Atmaram Kathane, Aged About 56 Years, R/o- Shankar Nagar, Naya Amapara, Durg, P.S. Mohan Nagar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant : Shri Shikhar Bakhtiyar,
Advocate.

For the Respondent/State : Shri D.R. Minj. Dy. G.A.

Hon'ble Shri Justice Gautam Bhaduri

Order on Board

28.05.2018.

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 in connection with Crime No. 62/2018 registered at Police Station –City Kotwali, District –Durg, (C.G), for the offences under Sections 420, 467, 468, 471, 201 & 120 B of the Indian Penal Code.
2. As per the prosecution case, it is alleged that the applicant on the basis of forged mark-sheet has procured the Government job in the year 1987. Subsequently, on a complaint made an inquiry was done and it was found that the said marks on the basis of which the job was procured is false.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He is in jail since 21.01.2018. Charge-sheet has been filed in this case. It is submitted that contents of the letter issued by the Board shows that the marks are genuine, hence, no offence has been committed by this applicant.

No further investigating is necessary and all the evidence are documentary in nature; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary. The charge-sheet has been filed and the matter is pending before the trial Court. Considering the fact that no further investigation is necessary, all the evidence is documentary in nature and have been placed on record, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-

(Gautam Bhaduri)
Vacation Judge