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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 3210 of 2018**

Akhilesh Singh S/o Budhan Singh Aged About 40 Years Caste- Gond, R/o- Village Joor, Police Station Surajpur, Tahsil Bhaiyathan, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Ramkola, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 3176 Of 2018**

Markush Ekka S/o Late Chiya Ekka Aged About 49 Years R/o Village Karkoti, Police Station Surajpur Tahsil Surajpur District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through- Station House Officer, Police Station Ramkola, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 3393 Of 2018**

Ramlal Shyam S/o Late Prabhudayal Aged About 58 Years Caste- Uraon, R/o- Village- Fundurdihari Patelpara, Police Station- Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through- Station House Officer, Police Station Ramkola, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

**---- Respondent**


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|--------------------------|---|---------------------------------------------------------------------------|
| For the Applicants       | : | Shri Goutam Khetrapal, Shri Ashok Patil and Shri Rahul Mishra, Advocates. |
| For the Respondent/State | : | Shri Anil S. Pandey, G.A.                                                 |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER**

**27.06.2018**

Heard.

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.17 of 2017, registered at Police Station Ramkola, District – Surajpur, Chhattisgarh for the offence punishable under Sections 420, 466, 467, 468, 471, 477(A) and 120B of the Indian Penal Code.

2. Learned counsel for the applicants submit that the applicant in M.Cr.C. No. 3210 of 2018 is in jail since 17.3.2018 and the applicants in M.Cr.C. Nos. 3176 of 2018 and 3393 of 2018 are in jail since 19.3.2018 and they have been falsely implicated in these cases. After completion of investigation, the charge-sheet has been filed. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused persons, namely, Ramdin Bhagat, Laxmi Prasad Kanediya, Mohd. Farid Ansari, Tulsidas Markam and Amirunnisha Shahban Ali have been granted regular bail by this Court and by the Co-ordinate Bench of this Court. Hence, it is prayed that the applicants in all these cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that these applicants were part of the conspiracy and they have deliberately ignored their duties. Hence, for these reasons, the applicants in these cases

are not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, main accused – Amirunnisha Shahban Ali filed an application for correction of her date of birth from 9.7.1991 to 9.7.1989 before the Tehsildar. The said application was allowed by co-accused – Tulsidas Markam. On that basis, she obtained job in Anganwadi Karyakarta in the year 2008. It is alleged that an offence of forgery has been committed in this case by concealing the actual date of birth of the main accused person with the help of Tehsildar and other Officers involved. The allegation against applicant – Akhilesh Singh is that in capacity of Sarpanch he attested the certificate. It is also alleged that applicants – Markush Ekka and Ramlal Shyam are the clerks of the District Education Officer, they connived with the main accused person and without enquiry prepared the note-sheet of approval.

6. Considering the material present in the case-diary and taking into consideration the fact that similarly placed co-accused persons have been granted regular bail by this Court and by the Co-ordinate Bench of this Court, I feel inclined to grant regular bail to all the applicants in all the cases.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases shall be released on bail on each of them 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 their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**

Judge

Nimmi