

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 665 of 2018**

- Radheshyam Dhiwar S/o Late Chaitram Dhiwar, Aged About 61 Years  
Caste Dhimar, Occupation Service, R/o Village Surajpur (Bhatthapara),  
Police Station And Tahsil Surajpur, District Surajpur Chhattisgarh.,  
District : Surajpur, Chhattisgarh

**----Applicant**

**Versus**

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

**---- Respondent**

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For Applicant : Mr. Rahul Kumar Mishra, Advocate.

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

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**19/07/2018**

1. Apprehending arrest in connection with Crime No.17/2017 registered  
at Police Station- Ramkola District – Surajpur(C.G.), for offence  
punishable under Sections 420, 466, 467, 468, 471, 477(a) & 120(b) of  
the Indian Penal Code (for short 'IPC'), the applicant has preferred this  
application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that applicant has been  
falsely implicated in this case. No case is made out against him. The  
main co-accused Amirunnisha Shahban Ali has been granted  
anticipatory bail and out of the other co-accused persons Ramdim

Bhagat has been granted regular bail whereas Laxmi Prasad Kanediya, Md. Farid Ansari, who are also posted as a clerk in the same office in which the applicant has been serving as a clerk, have also been granted anticipatory bail. Hence, it is prayed that he may be benefited with grant of anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. As the case is this, that the main accused Amirrunnisha Shahban Ali with help of co-accused Tulsi Das Markam, Tahsildar obtained a birth certificate showing her birth as 9.7.1989, which actually should have been 9.7.1991. The same birth certificate was produced before the office of District Education Office where this applicant is a Clerk and it is alleged that without verifying the correctness of the certificate of this applicant has made correct on in the entries of the official records. Hence, this case.
6. After considering on all the material present in the case diary and also considering that similarly placed co-accused persons have been granted anticipatory/regular bail. For this reason, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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 them by the said Court till disposal of the trial.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge