

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Order reserved on 22.11.2017****Order delivered on 05.01.2018****MCRC No. 3959 of 2017**

- Pushpendra S/o Basant Kumar Sahu Aged About 18 Years
R/o Village Lavsara, Police Station Baradwar, Tahsil Sakti,
District Janjgir Champa, Chhattisgarh.

----Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station Dabhara, District Janjgir Champa,
Chhattisgarh.

----Respondent

For Applicant	Shri Kamal Kishor Patel, Advocate.
For Respondent/State	Shri Adhiraj Surana and Shri Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**C A V Order**

1. Albeit M.Cr.C. Nos. 3957, 3959 and 4136 of 2017 were heard analogously on 22.11.2017, however, looking to the different nature of crime, facts, etc. these bail applications are being dealt with separately by passing individual orders.
2. The applicant has preferred this bail application under Section 439 Cr.P.C, as he has been arrested in connection with Crime No. 109/2017, registered at Police Station Dabhara, District Janjgir Champa (C.G.) for the offence

punishable under Sections 420, 419 & 109 of the Indian Penal Code and Section 3 ँ of the Chhattisgarh Manyata Prapta Pariksha Adhiniyam 1937.

3. Applicant was supposed to appear in the State Open Examination for Class XII, however, on the date of examination one Dev Charan Barathe appeared as applicant Pushpendra on being deputed by him. The impersonation was detected in the examination hall itself by the Superintendent of the Examination Centre.
4. Learned counsel appearing for the State would oppose the bail application.
5. Considering the facts and circumstances of the case, particularly considering the fact that the offences are triable by the Judicial Magistrate First Class and for the fact that the applicant is in detention since 07.04.2017 i.e. for a period of more than 8 months, therefore, looking to the pre-trial detention period of the applicant, this Court is inclined to release the applicant on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one surety each for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Gowri