

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1334 of 2018**

- Babulal Singh S/o Late Mohan Singh Aged About 50 Years
Occupation (Teacher) R/o Village Darripara, Police Station Jhilmili,
Tahsil Bhaiyathan, District Surajpur Chhattisgarh., District : Surajpur,
Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Samir Singh, Advocate.

For Respondent/State : Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/11/2018

1. Apprehending arrest in connection with Crime No.36/2018, registered at Police Station–Jhilmili, District –Surajpur(C.G.) for offence punishable under Section 420 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant was appointed as Government Teacher in Darripara and he has completed almost 26 years of service, as to which a false complaint has been made against him which is totally baseless and without

substance, hence, it is prayed that applicant be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that in the investigation made it has been found, that this applicant had made use of a forged mark-sheet showing him successful in the concerned examination, whereas infact he had failed that examination, hence, he is not entitled for grant of anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. As it is alleged that this applicant applied for the job and he produced a mark-sheet, on the basis of which he was selected. Later on, inquiry was made by Block Education Officer, in which, it was found that the mark-sheet submitted was a forged one, hence, the FIR has been lodged in this case.
6. Looking to the length of period that have passed in this case and considering this fact that the applicant has also got to face departmental proceedings and the consequences, hence, for these reasons, I am of this opinion that the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed. 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 sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicants 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 him by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha