

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7656 of 2017

- Bhuwaneshwar @ Luvkush Shukla S/o Shri Nandkumar Shukla, Aged About 44 Years R/o Hal Mukum Mansarovar Colony Padumnagar Road, Thana Bhilai, District Durg Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gole Bazar District Raipur Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicant – Shri Mateen Siddiqui, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application under Section 439 of the Cr.P.C. filed by the applicant before this Court. The applicant has been arrested on 06-09-2017 in connection with Crime No.36/2017 registered at Police Station Gole Bazar District Raipur Chhattisgarh for the offence under Section 420, 467, 468, 471, 120B and 201 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 06-09-2017. He is resident of District Durg and all the offences registered against him are triable by the JMFC. No case is made out against him on the basis of material in the charge sheet against him. Similarly placed co-accused have been benefited with grant of bail by the coordinate Bench of this Court. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that total 6 cases have been registered against this applicant for providing forged and fake certificates to the candidates applying for the various posts in Jila Panchayat Raipur. Hence,

looking to the number of crime registered against him, he is not entitled for grant of bail.

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

5. Various vacancies were advertized by the Jila Panchayat Raipur to which co-accused and others applied for the job by filing mark sheet etc. After verification, the mark sheet of the qualification of B.Lib.Sc. purported to be issued by the Guru Ghasidas University was found to be forged document. The co-accused persons given statement that they were provided with the fake documents by this applicant, on the basis of which, he has been made accused in this case.

6. Considered on the submissions made and contents of the case diary.

7. As the co-accused in this case have been benefited with grant of bail by the coordinate Bench, and looking to the evidence proposed to be brought in trial against this applicant, I am of this view that the applicant should be released on bail during pendency of the trial of the case against him.

8. Consequently, the application (MCRC No.7656/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge