

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9140 of 2018**

Akash Pasi, S/o Mukesh Pasi, aged about 17 years, R/o Lalkhadan Bilaspur, P.S. Torwa, Tahsil and District Bilaspur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Torwa, District Bilaspur (CG).

---- Non-applicant

For Applicant	: Mr. Pravin Kumar Tulsyan, Advocate
For Non-applicant	: Mr. Ashok Kumar Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.22/2018 (wrongly mentioned in order impugned) registered in Police Station Torwa, District Bilaspur for the offence punishable under Sections 420, 467, 468, 470, 471 of Indian Penal Code.
3. Case of the prosecution, in brief, is that earlier against the applicant, charge-sheet was filed in Juvenile Board, Bilaspur. On 27.07.2017, the applicant filed original progress report of Class-7th of Government Primary School, Mahasamund before Juvenile Board, Bilaspur wherein his date of birth is mentioned as 25.10.2000. As per *Dakhil Kharij Register* of the applicant of that school, his date of birth is mentioned as 25.10.1997. The applicant has manipulated in the said progress report year 2000 has been mentioned instead of year 1997. As per handwriting expert, there was manipulation in the said progress report.
4. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the case. He further submits that there is no such evidence on record that the applicant had manipulated in the aforesaid progress report and handwriting expert has also not given opinion that the applicant is a person, who manipulated the aforesaid progress report and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant.
6. Looking to these facts and circumstances of the case, looking to the seriousness of the offence; and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE