

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1222 of 2020**

- Rohit Kumar Patkar S/o Anu Ram Patkar Aged About 53 Years Principal (Ex) Govt. Higher Secondary School Tarpongi, District Raipur Chhattisgarh R/o Motinagar, Boriaroad, Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Out Post Badi Kareli, P. S. Magarlod, District Dhamtari Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Vinod Kumar Sharma, Advocate
For Respondent-State	:-	Mr. Anand Verma, Dy.G.A.

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**30/09/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.55/2016, registered at Police Station Out Post Kareli Badi, P.S. Magarlod, District Dhamtari C.G. for offences punishable under Sections 420, 467 & 468 of the IPC.
2. This is the second bail application under Section 438 Cr.P.C. The first bail application bearing MCRCA No.158 of 2020

was not dismissed on merits but it was dismissed for the reason that the same was directly preferred in the High Court without availing the remedy before the Sessions Court. Applicant thereafter moved before the Sessions Court and having been denied anticipatory bail vide Annexure A/1 by the Sessions Court, he has now preferred this repeat bail application.

3. Allegation against the present applicant is that he obtained services as reserved category candidate on the basis of false caste status certificate.
4. Shri Anand Verma, learned State counsel would submit that the High Power Certification Scrutiny Committee has recorded the finding that the caste certificate produced by the applicant at the time of obtaining employment is a forged document, therefore, no case for grant of anticipatory bail is made out.
5. Shri Vinod Kumar Sharma, counsel for the applicant would draw attention of the Court to the order passed on 02.11.2017 in Cr.M.P. No.549 of 2017 (Annexure A/3) in which interim protection has been granted to the applicant on the ground that the High Power Certification Scrutiny Committee has not directed for lodging FIR against the applicant.
6. Considering the order passed by the Co-ordinate Bench of

this Court in Cr.M.P. No.549 of 2017 and for the fact that the order passed by the High Power Certification Scrutiny Committee against the applicant on 16.12.2019 is under challenge in WPC No.284 of 2020 and also for the fact that applicant has already been terminated from service, this Court is inclined to extend the benefit of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (i) he shall make himself available for interrogation by a police officer as and when required;
- (ii) he 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 from disclosing such facts to the Court or to any police officer;
- (iii) the applicant shall not influence the witnesses during pendency of the trial.

SD/-

(Prashant Kumar Mishra)
Judge

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