

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 397 of 2021

1. Parmeshwar Yadav S/o Shri Manglu Ram Yadav, Aged About 50 Years, R/o Village Kochvahi, Police Station Gurur, District Balod (C.G.).

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Police Station Gurur, District Balod (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Harshwardhan Parganiha, Advocate.
For Non-Applicant/State	:	Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

23/02/2021

- 1) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicant for grant of bail as he is in custody since 18/12/2020 in connection with Crime No. 495/2020 registered at Police Station Gurur, District Balod (C.G.) for the offence under Sections 420, 467, 468 & 471 of IPC.
- 2) Allegation against the present applicant is that in order to secure appointment in Gram Panchayat Kochwahi under Mahatma Gandhi Rashtriya Gramin Rojgaar Guarantee Yojna, he submitted forged mark sheet of Class 12 and was working as Mate for the last 12 years. On report being lodged to the above effect, offence has been registered against the applicant.
- 3) Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the applicant is in jail since 18/12/2020, charge sheet has already been filed and trial is likely to take some time for its disposal. He also submits that the applicant has no criminal

antecedent. Therefore, the present applicant be released on bail.

- 4) On the other hand, learned counsel for the respondent/State opposes the bail application. He submits that the applicant has no criminal antecedent.
- 5) Heard learned counsel for the parties.
- 6) Considering the facts and circumstances of the case, the age and allegation made against the applicant, the detention period of the applicant, the charge sheet has already been filed, and the fact that the applicant has no criminal antecedent and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of applicant executing a personal bond for a sum of **Rs. 1,00,000/-** with **two** sureties of Rs. 50,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-
 - i. 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 fact to the Court,
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - iv. he shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Court.

-Sd/-
(Gautam Chourdiya)
Judge