

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 396 of 2021**

- Anusuiya Patel D/o Shri Chintaram Patel, aged about 31 years, R/o village Tendua, Post Dewarbija, Tahsil - Saja, District Bemetara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Station House Officer, Police Station Gole Bazar, District Raipur (C.G.)

---- Respondent

For Applicant	:	Mr. Vivek Kumar Agrawal, Advocate.
For Respondent.	:	Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/04/2021**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending her arrest in connection with Crime Number 34/2017 registered at Police Station - Station House Officer, Gole Bazar, District Raipur (C.G.) for the offence punishable under Sections 420, 467 468 and 471 of Indian Penal Code.
2. The prosecution case, in brief, is that a written complaint was made by Chief Executive Officer, District Panchayat, Raipur alleging therein that in the year 2013, an advertisement for direct recruitment to the post of Librarian Teacher (Panchayat) was invited through online, and at the time of verification, the present applicant had not submitted educational certificate/mark sheet along with an affidavit on the stamp paper of Rs.10/-. The veracity of the mark sheet

submitted by the applicant through online for the post of Librarian Teacher (Panchayat) was verified but the same did not match with the records of University, thereby the applicant committed fraud by submitting false and fabricated mark list for obtaining employment in the District Panchayat, Raipur. Based on this, offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the incident is of the year 2013 and the FIR has been registered in the year 2017. The father-in-law of the applicant had taken certain documents from the present applicant and she was not having any knowledge about application for appointment to the said post. Even she has not applied online and not signed any document. Learned counsel also submits that no appointment order has been issued to the applicant. Therefore, she may be granted anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail. Learned State counsel submits that the mark list so submitted by the applicant through online got verified and the same did not match with the University record.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the fact that mark list submitted by the applicant through online did not match with the University records, I

am not inclined to release the applicant on anticipatory bail.

7. Accordingly, the application is rejected.

Sd/-

(Rajani Dubey)
Judge

pkd