



2025:CGHC:50494



2025:CGHC:50494

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1539 of 2025

Vinay Prakash Tirkey S/o Shri Simon Tirkey Aged About 57 Years R/o E-2/13, Sector-17, Officers Colony, City- Nawa Raipur, Tahsil and District- Raipur, Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, P.S. Civil Lines District Raipur C.G.

... Non-Applicant

For Applicant : Mr. Jitendra Pali, Advocate.

For Non-Applicant/State : Mr. Jitendra Shrivastava, Government Advocate.

Hon'ble Mr. Ramesh Sinha, Chief Justice
Order on Board

09.10.2025

1. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending his arrest in connection with Crime No. 225/2022 registered at Police Station – Civil Lines, District - Raipur (C.G.) for the offence punishable under Sections 420 and 468 of the Indian Penal Code.
2. As per the prosecution's case, the present applicant, while serving as Joint Commissioner in the Office of the Development



Commissioner, Raipur, was appointed as a member of the selection committee in the capacity of ST/SC representative, as per Section 8 (Representation in Selection Committee) of the Madhya Pradesh/Chhattisgarh Lok Seva (Anusuchit Jatiyon, Anusuchit Janjatiyon aur Anya Pichhde Vargon ke Liye Aarakshan) Adhiniyam, 1994. The selection committee, comprising a Chairman and two other members, was constituted by the Office of the Development Commissioner on 29.06.2011 in furtherance of an advertisement dated 23.02.2011 for direct recruitment to 275 posts of Sub-Engineers (Civil) under the Panchayat and Rural Development Department, including Rural Engineering Services and PM Gram Sadak Yojna. Pursuant to the said Act, the Deputy Secretary, General Administration Department, issued a detailed clarification regarding Section 8 to all departments of Madhya Pradesh. Subsequently, through departmental decisions and approvals, the number of vacancies was increased to 526. The written examination was held on 24.04.2011, and results were declared on 19.05.2011. After document verification, 624 candidates were found eligible. It is respectfully submitted that the applicant's role was limited solely to making recommendations for the selection of ST/SC candidates as per his position in the selection committee. The applicant participated in nine meetings and made the necessary recommendations. Importantly, the applicant had no role in the issuance of appointment orders.

3. It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. It



is further submitted that the co-accused persons, namely, Vividh Singh, Rajkishore Tigga, Kamlesh Chandrakar and Smt. Yogehswari Sahu, Mohan Netam have already been granted anticipatory bail by this Court on 26.08.2025 and 09.09.2025 passed in MCRCA Nos. 1293/2025 and 1379/2025, respectively, further the applicant has no previous criminal antecedents. Therefore, he prays grant of bail to the applicant on the ground of parity.

4. On the other hand, the learned State counsel opposes the bail application of the applicant but could not dispute the fact that the co-accused persons have already been granted anticipatory bail by this Court and the case of the present applicant is identical to that of the co-accused persons.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts and circumstances of the case, nature and gravity of allegation leveled against the applicant and the fact that co-accused persons, namely, co-accused persons, namely, Vividh Singh, Rajkishore Tigga, Kamlesh Chandrakar and Smt. Yogehswari Sahu, Mohan Netam have already been granted anticipatory bail by this Court on 26.08.2025 and 09.09.2025 passed in MCRCA Nos. 1293/2025 and 1379/2025, respectively and further the applicant has no previous criminal antecedents, hence, this Court is of the view that the applicant is entitled to be granted anticipatory bail in this case.



7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant - **Vinay Prakash Tirkey** on executing a personal bond with one local surety each in the like sum to the satisfaction of the arresting Officer, they shall be released on bail on the following conditions:-

- (a) The Applicant 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.
- (b) The Applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.
- (c) The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (d) The Applicant and the surety shall submit a copy of their adhaar card alongwith a colored postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
- (e) The Applicant shall not involve himself in any offence of similar nature in future.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE