

(2023) 10 UK CK 0023

In the Uttarakhand High Court

Case No : Bail Application No. 159, 718, 2159 Of 2023

Manohar Singh Kanyal & Others

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision : 06-10-2023

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 201, 409, 420, 465, 467, 468, 471
Prevention Of Corruption Act, 1988 — Section 13(1)(d), 13(2)

Citation : (2023) 10 UK CK 0023

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Arvind Vashistha, Aditya Pratap Singh, Aditya Singh, Karan Anand, Lalit Sharma, C.K.Sharma, Sharang Dhulia

Judgement

Alok Kumar Verma, J

1. This Court is informed by Mr. Lalit Sharma, Advocate that charge sheet has been filed in the present OMR sheet scam matter.
2. Applicant Manohar Singh Kanyal was the Secretary of the Uttarakhand Subordinate Service Selection Commission (in short " Commission").
3. Applicant Raghubir Singh Rawat was the Chairman of the Commission.
4. Applicant Rajender Singh Pokhriya was the Examination Controller.
5. The case of the applicant Manohar Singh Kanyal is that the Examination Controller had the main role in conducting the examination peacefully.
6. The case of the applicant Rajender Singh Pokhriya is that the Secretary of the Commission was responsible to collect the answer sheets from the Examination Controller. Further case of Rajender Singh Pokhriya is that the applicant Manohar Singh Kanyal, the then Secretary, had made a note under his signature granting an approval to use his wife's house to check the OMR sheets which proves that he had some illegal motive and intention.

7. These Three Bails Applications have been filed for grant of regular bail under Sections 409, 420, 465, 467, 468, 471, 201, 120-B of the Indian Penal Code, 1860 and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988 in connection with the Case Crime No.01 of 2020, registered at police station Vigilance Department, District Dehradun.
8. These Three Bail Applications have arisen from one Case Crime No. i.e. Case Crime No. 01 of 2020, therefore, these Three Bail Applications are being consolidated for hearing. Record of the Bail Application No. 159 of 2023 will be leading file.
9. MR. C.K.Sharma, Advocate submits that objection to the Bail Application No. 2159 of 2023 is not needed.
10. Mr. Lalit Sharma, Advocate submits that the Bail Application, filed by Mr. Karan Anand, Advocate is a fresh application. He has sought four weeks' time to file objection to the Bail Application No. 2159 of 2023.
11. List after Dussehra holidays i.e. 31.10.2023 for hearing on bail applications under the same head.
12. A copy of this order be placed on the record of BA1 No.718 of 2023 and BA1 No. 2159 of 2023.