

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. NO. 2992 of 2015**

Smt. Shanti Bai Shriwas aged about 65 years widow of Melau Ram Shriwas resident of Adarsh Nagar Sirgitti Police Station Sirgitti Tahsil and District Bilaspur (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer Police Station Sarkanda District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Shrawan Kumar Chandel, Advocate
For Non-applicant	:	Mr. Siddharth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 302/2014, registered at Police Station Sarkanda, District Bilaspur, C.G., for the offence punishable under Sections 420, 467, 468, 471, 120-B of I.P.C.

2. Case of the prosecution, in brief, is that present applicant and other co-accused have sold the land held by Dhanu and Dhan Bai by forged power of attorney in favour of M/s. Pawansut Builders and Developers and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that applicant is illiterate woman, aged about 65 years. He would also submit that co-accused Ramdas Suryavanshi has already

been enlarged on regular bail by this Court on 23/03/2015 in M.Cr.C. No.1224/2015. He would lastly submit that case is triable by the Magistrate and applicant is in jail since 12/02/2015, therefore, she may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; age of the applicant; role of the present applicant in offence in question and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

