

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3099 of 2015**

Harshika Rao, W/o. Shri Indra Kumar, aged about 25 years, R/o. House No.414, Road No.9, Modern Town, Bhilai, District Durg (C.G.)

.....Applicant**Versus**

State Of Chhattisgarh Through: S.H.O., P.S. Tarbahar-Bilaspur (C.G.)

..... Respondent

For Applicant:	Shri Sourabh Dangi, Advocate.
For Respondent/State:	Shri Om. P. Sahu, Deputy Govt. Advocate.

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

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 131/2015 registered at Police Station – Tarbahar, District Bilaspur for the offence punishable under Section 420/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant and one co-accused person cheated the unemployed persons by selling 35 prospectus for persuading the candidates to take admission in their Institution for the purpose of aviation training and, thereby, committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has not committed any offence as her Institution is duly recognized by Vishwakarma Open University for self employment, India for running diploma courses in aviation, as such, the applicant is in jail since 4.6.2015 and, therefore, she, being the woman, is entitled to be released on bail.

(4) On the other hand, counsel for the State opposes the bail application stating the Udan International is not the recognized Institution, as such, they have cheated 35 candidates claiming to be the recognized Institution.

(5) Taking into consideration the facts & circumstances of the case; further considering the role of the present applicant in the crime in question; considering her pre-trial detention and she being the woman, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-