

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 830 of 2015

Smt. Deepa @ Deep Kumari Sahu W/o Shri Brijlal Sahu Aged About 48 Years
Resident Of C/o Mukesh Sahu, Danitola Ward, Dhamtari, Tahsil, Civil & Revenue
District - Dhamtari (Chhattisgarh).

---- Petitioner

Versus

Puna Ram Sahu S/o Bhawani Ram Sahu Aged About 47 Years R/o Village - Jenjara,
Police Station - Rajim, Civil District - Raipur & Revenue District - Gariyaband
(Chhattisgarh).

---- Respondent

Shri D.K.Gwalre, counsel for the applicant/s.
None for the respondent despite service of notice.

Order On Board

04/09/2015

Heard.

The applicant is apprehending his arrest in connection with complaint case no.219/13 filed in the Court of Judicial Magistrate, 1st Class, Dhamtari, CG and taken cognizance for alleged commission of offences under Section 420, 467, 468, 471/34 of IPC.

2. Case of the complainant is that in the name of providing employment to his son, the applicant and her husband, the other co-accused, Brijlal collected Rs.2,65,000/-.

3. Learned counsel for the applicant submits that looking to the contents of the complaint, the main allegations are against Brijlal and the applicant, who is his wife has been impleaded only to create pressure on the other co-accused for paying the balance amount of Rs.1,00,000/- because even according to the complainant, out of Rs.2,65,000/-, Rs.1,65,000/- has already been repaid to him. In the preliminary statements recorded before the Magistrate, the applicant is alleged to have been involved only along with her husband. He submits that the co-accused Brijlal, who

is the main accused in this case, has already been granted regular bail and looking to the allegations, custodial interrogation of the applicant, who is a lady, is not necessary. Therefore, the applicant may be granted bail.

4. Taking into consideration the submission of learned counsel for the applicant, particularly taking into consideration that the co-accused is said to be the main accused who has already been granted regular bail and custodial interrogation of the applicant, who is the wife of the main accused does not appear to be necessary, I am inclined to grant anticipatory bail to the applicant.

5. Accordingly, the application is allowed. It is directed that in the event of arrest of applicant in connection with the aforesaid offence, she shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and she shall abide by all the following terms and conditions -

- (i) that the applicant shall make herself available for interrogation by a Police Officer as and when required;
- (ii) that she 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 her from disclosing such facts to the Court or to any Police Officer.
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall 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/-

**Manindra Mohan Shrivastava
Judge**