

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6320 of 2015

Smt. Santosh Devi Garg W/O Late Hariram Garg Aged About 64 Years R/O Janta Quarter No. I-4, E W S Padmapuram, Durg, P.S. Durg, Tah. & Distt. Durg, Civil & Rev. Distt. Durg, Chhattisgarh. Permanent R/O Road No. 11, Block No. 2, Room No. 13, Hospital Sector, Sec. 9, Bhilai, Tahsil & District Durg, Civil & Revenue District Durg Chhattisgarh

---- Applicant

Versus

The State Of Chhattisgarh Through P.S. Durg, Distt. Durg, Chhattisgarh.

---- Respondent

For applicant - Shri T.K. Tiwari and Shri A.K. Prasad, Advocates.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

30/11/2015

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 1128/2006 registered in Police Station Durg, District Durg (C.G.) for offence punishable under section 420, 467, 471, R/w. 34 of IPC.
2. As per the prosecution case complaint made by one Chhabinath Singh that applicant owned a house in the EWS scheme and it was sold to one Rakesh on 21/09/2005 and however before that it was earlier sold to Chhabinath, therefore offence is registered.
3. Learned counsel for the applicant submits that sale deed in favour

of the applicant was executed on 16/09/2005. Subsequently, it was sold to Rakesh on 21/09/2005. He further submits that other co-accused were granted anticipatory bail by this court in M.Cr.C. (A) No.312/2007 on 14/06/2007 and thereafter charge sheet was filed showing applicant as absconding but applicant was very much present in the locality. He submits that applicant is in jail since 8/10/2015. He therefore submits that applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Having regard to the fact that charge sheet has been filed and the co-accused have been released on anticipatory bail in the year 2007, taking into fact that applicant is in jail since 8/10/2015, taking into fact that applicant is a lady aged about 64 years and considering the allegations made, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE