

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3546 of 2015**

- Smt. Asha Gupta @ Jayanti, W/o Rajendra, aged about 48 years, R/o Presently residing Borsi, Ganpati Vihar, P.S. & Tahsil Durg, Civil & Revenue Distt. Durg (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Police Station – Lalbag, Rajnandgaon, Distt. Rajnandgaon

---- Non-Applicant

For Applicant:	Shri Shrawan Agrawal, Advocate.
For Respondent/State:	Shri R.K. Mishra, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/07/2015**

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. 270/2013 registered at Police Station Lalbag, Distt- Rajnandgaon for the offences under Section 420, 467 & 468/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the present applicant alongwith her husband and one co-accused – Anand Ram Khobragade obtained ₹ 2,00,000/- in the year 2008 from the complainant- Shailendra Kumar in order to secure employment for the complainant in the Railway department and thereby committed

the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as she has not committed any offence. He would further submit that co-accused person namely Anand Ram Khobragade has already been granted regular bail by this Court vide order dated 5.5.2014 in M.Cr.C. No. 1687/2014 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 5.5.2014 in M.Cr.C. No. 1687/2014.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 5.5.2014 in M.Cr.C. No. 1687/2014; and considering the fact the applicant is in jail since 30.05.2015; 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/-

