

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4587 OF 2015**

Ayesha Bano W/o Zubair Hussain aged 39 years R/o Manjeri House Ayesha
Manzil PS Kabor, Civ. & Rev. Dist. Manglore (Karnataka)

(Details wrongly mentioned in the order)

---Applicant

Versus

State of Chhattisgarh PS Khamtarai, Civ. & Rev. Dist. Raipur (C.G.).

---Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate.
For-Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**14/09/2015**

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. 567/2013, registered at Police Station Khamtarai, Dist. Raipur (C.G.), for the offence punishable U/s 419 of I.P.C. and U/s 17, 40 of the Unlawful Activities Prevention Act, 1967 and U/s 66 of I.T. Act.

2. Case of the prosecution, in brief, is that, applicant having membership of Indian Mujahiddin banned organization got huge amount from Khalid, Pakistani Citizen through account of Dheeraj Sao and thus, raised the fund for terrorist act/terrorist organization.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that there is no evidence to connect the

applicant in offence in question except the statement of Dheeraj Sao that alleged account is in the name of present applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 07/02/2014, therefore, she may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that applicant is member of banned organization Indian Mujahiddin and obtained huge money from Khalid, who is also member of Indian Mujahiddin & Pakistani Citizen and promote the Indian Mujahiddin & SIMI in the State of Chhattisgarh and various parts of the Country, therefore, she is not entitled to be released on bail.

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; material brought on record by the prosecution that the applicant is member of Indian Mujahiddin banned organization and the manner, in which, she said to have received huge money to promote banned organization/terrorist organization, this Court is not inclined to release the applicant on regular bail.

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

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE