

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4880 of 2015**

Gayatri Soni W/o Ashish Kathouliya, aged about 50 years, R/o Bajrang Nagar, Takhatpur, District Bilaspur and presently residing at Santmata Ward, Bhatapara, P.S. Bhatapara City, District Baloda Bazaar-Bhatapara (CG)

---Applicant**Versus**

State of Chhattisgarh, through, Station House Officer, Police Station Bhatapara City, Distt.Baloda Bazaar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. Awadh Tripathi, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/09/2015**

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.61/2013, registered at Police Station-Bhatapara City, District-Baloda Bazaar-Bhatapara (C.G.), for the offence punishable under Section 420 of the IPC and Section 3/7 of the Essential Commodities Act.

2. Case of the prosecution, in brief, is that from 1.4.2012 to 23.6.2012 the applicant while working as proprietor of M/s Gayatri Gas Agency distributed gas cylinders unauthorisedly to the third person in place of actual gas connection holders and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and she has falsely been implicated in crime in question. He would further submit that the applicant has already been resigned from proprietorship on 9.7.2012 and merely she has filed civil suit against the government, she has falsely been implicated for the aforesaid offence in which

she in jail since 1.9.2015 and charge-sheet has already been filed. He would also submit that other co-accused namely Bhagwat Soni and Dwarika Soni have been released on bail by this Court vide orders dated 9.3.2015 and 14.5.2015 in M.Cr.C.Nos.880 and 2253 of 2015 and case of the present applicant is similar to that of the co-accused and therefore, she may also be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; role of the present applicant and the fact that bail was granted to co-accused Bhagwat Soni and Dwarika Soni, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-