

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1011 of 2015

1. Sunita Chouhan, D/o. Hariram, W/o. T.K. Bhaskar, aged about 30 years, Caste-Cheek, R/o. Village Tangargoan, P.S. Kasabel, Civil and Revenue District – Jashpur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : The Station House Officer, Police Station – Tapkara, Civil and Revenue District Jashpur (C.G.)

---- Respondent

For Applicant	: Mr. Indrasen Sahu, Advocate
For Respondent/State	: Mr. Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/10/2015

1. Apprehending arrest in connection with Crime No.42/2014 registered at Police Station- Tapkara, District Jashpur, for offence punishable under Section 409, 420, 467A, 468A, 470A, 471A, 120B, 406 and 465 of IPC, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, one co-accused Chhunuram Chouhan being an advocate filed an application for partition of the land on behalf of Bodhanram, S/o. Doya under Section 178-A of the Land Revenue Code in the Court of Tahsildar, wherein Kayaso Bai, the mother of present applicant was examined and stated that she is the sole daughter of Bodhanram, thereby the property was recorded in the name of present applicant and one Prasanna Kumar in the revenue records.
3. Learned counsel for the applicant would submit that such order has been reviewed by the Tahsildar and the main accused, Kayaso Bai, Chhunnuram Chouhan and Prasanna Kumar have been granted regular bail by this Court in M.Cr.C. No.5135/2014 and M.Cr.C. No.3986/2015. He would further submit that the present applicant is a lady and no purpose would be served to arrest and interrogate the applicant since evidence are in documentary nature. He would further submit that the applicant is pregnant and referred to certain

documents and prays that the applicant may be granted anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of bail
5. Having regard to the fact that the main accused persons have been enlarged on regular bail by this Court. Taking into consideration that the applicant is a lady and appears to be pregnant, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant 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 him/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/-
(Goutam Bhaduri)
Judge