

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 416 of 2016**

- Smt. Rama Bai Yadav, W/o Devanand Yadav, aged 41 years, R/o Chorhadevri, Police Station-Ratanpur, Civil & Revenue District – Bilaspur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station- Ratanpur, Bilaspur, District Bilaspur (C.G.)

---- Non-applicant

For Applicant: Mr. Malay Shrivastava, Advocate.

For Non-applicant/State: Mr. Dhiraj Kumar Wankhede, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/02/2016

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.172/2015 registered at Police Station Ratanpur, Bilaspur for the offences punishable under Sections 420, 407, 408 & 467 of the Indian Penal Code and Section 3/7 of the Essential Commodities Act.

(2) As per the prosecution case the applicant being Secretary of Jai Bhawani Maa Mahila Bahu, Sahakari Samiti, Chorhadevri and she along with another co-accused made embezzlement of 193.14 quintal rice and 5.99 quintal sugar which was sent to Chorhadevri Fair Price Shop. On enquiry being made, the applicant held liable for 154.17 quintal rice and 5.93 quintal sugar was found less. Therefore, the

report was made against the present applicant.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and she has falsely been implicated in the crime in question. He would further submit that similarly situated co-accused person namely Chanda Bai has already been granted bail by this Court vide order dated 02.12.2015 passed in M.Cr.C. No. 6575/2015, and the applicant, being a lady, is in jail since 17.12.2015 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 opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case and particularly the fact that similarly situated co-accused has already been granted bail by this Court vide order dated 2.12.2015 passed in M.Cr.C. No. 6575/2015; 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/-

