

COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 264 /2016

Smt. Asha Gupta @ Jayanti Bai Yadav, W/o. Rajendra Gupta, Aged About 35 Years, R/o. Village Ghorda, Thana- Arjuni, Tahsil- Dongargaon, Distt. Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station- City Kotwali, Dhamtari, Distt. - Dhamtari, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shrawan Agrawal, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/03/2016

1. Apprehending arrest in connection with Crime No.208/2015 registered at Police Station- City Kotwali, Dhamtari, District Dhamtari (C.G.) for the offence punishable under Section 420/ 34 & 120-B, 201 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, in brief, a complaint was filed by Rakesh Singh Sengar that in order to provide job in the Railway, he had given Rs.5.50 Lacs to the husband of the applicant and subsequently other relatives also paid different amount. Thereafter, while they were following up to get the job at one certain point of time when they went to the applicant's house, this applicant also got certain documents signed and assured that they will be provided with the job and joining letters be received by them soon;

however, it was not received and thereafter the complaint was made and the FIR was registered.

3. Learned counsel for the applicant would submit that she was only the housewife and the allegation is attributed to the husband of the applicant and she has not played any role in this entire case. He further submits that the applicant was in jail since May, 2015 to 08.11.2015 in another case and no useful purpose will be served to keep her into the custody, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail and would submit that the total embezzlement amount is Rs.59,05,000/- from different persons wherein this applicant was also played an active role.
5. Perused the case diary and the documents. Another case was also registered against the applicant and other accused. Taking into nature of allegation, it is not a case where the custodial interrogation of the applicant may not be required, therefore, I am not inclined to enlarge the applicant on anticipatory bail.
6. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge