

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 577 of 2016

1. Smt. Usha Sahu, age about 40 years, W/o. Shree Santosh Sahu, R/o. Village-Amodi, P.S. - Arang, District (Revenue & Civil – Raipur) – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station - Arang, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. Yogesh Pandey, Advocate

For Respondent/State : Mr. Neeraj Sharma, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

1. Apprehending arrest in connection with Crime No.184/2016 registered at Police Station- Arang, District – Raipur (C.G.), for offence punishable under Section 420, 467, 468, 471, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, in the year 2013, the applicant along with one Kamlesh Kumar on the basis of forged B-I and other documents had obtained loan of Rs.94,000/- from Dena Bank.
3. Learned counsel for the applicant would submit that the applicant is a lady and she was not aware of the fact that loan has been taken in her name and in fact the transaction were being carried out by Kamlesh and after knowing the fact that loan is outstanding, she has deposited the entire loan amount of Rs.1,21,356/-, which would be evident from the rejection order, therefore, the counsel prays that, the applicant being a lady may be extended the benefit of anticipatory bail.
4. Learned State counsel opposes the bail application.

5. Perused the case diary and the documents. Considering the fact the nature of evidence, which are documentary in nature and the fact that entire amount has been deposited, further Considering the fact that the applicant is a lady and taking into the totality of the case, this Court is inclined to extend the benefit of anticipatory bail to the applicant, as no custodial interrogation may be required in this case.
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