

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5579 of 2016

1. Smt. Nandini Sahu, W/o. Bharat Sahu, aged about 45 years, R/o. Village Kutela, Thana – Aarang, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station – Aarang, District – Raipur (C.G.)

---- Respondent

For Applicant	: Mrs. Smita Jha, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/09/2016

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.183/2016, registered at Police Station – Aarang, District – Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that in the year 2013 the applicant on the basis of forged document, obtained loan of Rs.95,000/- under Kisan Credit Card.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the applicant has not committed any offence and actually the offence has been committed by Kamlesh Sahu. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 12.05.2016,

therefore, the counsel prays that the applicant may be enlarged on bail.

4. On specific query being made to the State counsel as to what is the policy of grant of loan, he is unable to make any submission since the case diary do not contain any policy. The statement of branch manager also do not show that mortgage of the land was required.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 12.05.2016, this Court is of the opinion that present is a 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/-
(Goutam Bhaduri)
Judge