

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6947 of 2016

Asha Gupta @ Jayanti Yadav W/o Rajendra Gupta Aged About 38
Years R/o Village Ghorda, Police Station Lalbag District
Rajnandgaon Chhattisgarh Present R/o Girdhari Nagar Gali
Number 01, Police Station Mohan Nagar District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station City Kotwali District
Dhamtari Chhattisgarh

---- Respondent

For applicant - Shri Avinash Chand Sahu, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

30/11/2016

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.208/2015 registered in Police Station City Kotwali, District Dhamtari for offence punishable under sections 420, 34, 120 B, 201 of Indian Penal Code.
2. As per the prosecution case, one Rakesh Singh Sengar had made a report that Rajendra Gupta and Asha Gupta present applicant has obtained amount of Rs.5 lakhs and different amount so as to provide job to the nephew of the complainant in Railway. However, said job was not provided, thereby offence has been committed.
3. Learned counsel for the applicant submits that case originated from the complaint filed by Rakesh Singh and the entire allegation of payment of amount is on Rajendra Gupta which would be evident from the complaint. It is further submitted that infact some loan was obtained by the accused applicant alongwith her husband and since same could not be paid back, agreement was entered and possession of the house was

given to the complainant which is part of the charge sheet, therefore it is monetary transaction and the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the complaint filed under Section 156 (3) of Cr.P.C. wherein certain part payment of amount has been alleged to have been made to other co-accused Rajendra Gupta. Taking into fact and nature of allegation and the fact that it appears an agreement is seized which is part of charge sheet and also for the fact that applicant is a lady and is in jail since 1/07/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE