

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1296 of 2016**

Priyanka Yadav, W/o Shri Ravindra Kumar Yadav @ Kallu Yadav, aged about 21 years, R/o village- Podi-Uroda, Police Station-Bango, District Korba (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through District Magistrate, Korba, Distt.- Korba (C.G.)

-----Non-applicant

For Applicant: Mr. Pawan Kesharwani, Advocate.
For Non-applicant/State: Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 08/2015 registered at Police Station Lemru, Distt- Korba for the offences punishable under Sections 420, 467 read with Section 34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant & her husband obtained Rs. 36,000/- from the various complainants for providing them employment as Rojgar Prerak and thereby committed the aforesaid offences.

(3) Counsel for the applicant, while placing reliance upon the judgment of Supreme Court in the matter of **Sanjay Chandra Vs.**

Central Bureau of Investigation¹ in support of his case, submits that the applicant has been falsely implicated in the offence in question as she is nothing to do with the same; she is carrying pregnancy of 8 months and required medical attention; and she is in detention since 3.11.2015 and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary.

(6) Taking into consideration the facts and circumstances of the case; role of the applicant in the offence in question; and particularly taking into account that applicant, being a pregnant woman carrying 8 months' pregnancy, is in detention since 3.11.2015 ; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Priyanka Yadav** 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/-

¹ (2012) 1 SCC 40

