

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.CR.C. No. 3401 of 2016**

1. Smt. Rajeshwari Choube, W/o. Shri Ram Prakash Choube, aged about 45 years, R/o. Collage Chouraha, Behind Sagar Narshing Home, Rewa, P.S. Civil Line, District Rewa (M.P.)

**----Applicant**

**Versus**

1. State of Chhattisgarh, Through : Officer Incharge Police Chouki Khongapani, Police Station Jhagarakhand, District – Korla (Chhattisgarh)

**---- Respondent**

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| For Applicant        | : Mrs. Meena Shastri, Advocate   |
| For Respondent/State | : Mr. Anant Bajpai, Panel Lawyer |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**08/07/2016**

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.45/2016, registered at Police Chouki Khongapani, Police Station Jhagarakhand, District – Korla (C.G.) for the offence punishable under Section 457, 380, 411, 414, 201, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 07.03.2016, a theft was committed in the house of one Nagendra Bahadur and the gold ornaments and Rs.43,649/- was stolen. Subsequently on investigation it was revealed that the said theft was committed by

the Manisha Singh, daughter-in-law of the Nagendra Bahadur alongwith Lalit Chaubey and the present applicant is the mother of Lalit Choube and after theft, the gold was deposited in the Manapuram Finance Limited and loan of Rs.59,400/- was obtained. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case because of the fact that the applicant is the mother of Lalit Choube. It is further submitted that the applicant is in jail since 22.03.2016 and the co-accused, Manisha Singh in this case has already been granted bail by this Court in M.Cr.C. No.2811 of 2016 vide order dated 14.06.2016, therefore, the counsel prays that, the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the fact and circumstances of the case, the nature of allegation levelled against the applicant, applicant is in jail since 22.03.2016 and the fact that similarly placed co-accused in this case has been enlarged on bail by this Court in M.Cr.C. No.2811 of 2016 vide order dated 14.06.2016, 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 today.

**Sd/-**  
**(Goutam Bhaduri)**  
Judge

Balram