

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4013 of 2016

- Shabnam Tirki D/o Late Anand Prakash Tirki Aged About 28 Years R/o Mohalla Ward No. 2, Mahuapara, Police Station Gandhi Nagar, Tahsil Ambikapur, District Surguja, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Kotwali Ambikapur, District Surguja, Chhattisgarh. -- **Respondent**

For the applicant	:	Mr. Upendra Bharat Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 163 of 2016 registered at P.S. Kotwali, Ambikapur, Distt. Surguja (C.G) for the offence punishable under Sections 420, 120-B, 34 of IPC.
2. As per the prosecution case, the applicant along-with other co-accused Prem Singh, Mujahid @ Ashish Baghmar & Ravindra on the pretext of providing jobs of peons and clerks collected Rs. 8.50 lakhs from 6 persons and thereby committed fraud.
3. Learned counsel for the applicant would submit that the only allegations against the present applicant is that while the money was paid to co-accused Prem Singh she was present, therefore, the entire main allegations are attributed against Prem Singh and nothing has been attributed to this present applicant. It is further submitted that taking into such

allegations and the facts that the charge sheet has been filed, no further investigation is necessary and the applicant is in jail since 12.03.2016, she may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submits that in another case registered vide Crime No. 156/2016 the applicant along-with other co-accused has received Rs.38 lakhs from 24 persons to provide them job, therefore, the applicant may not be enlarged on bail.
5. Perused the the documents and the bank statements which are in the name of the applicant when the money was deposited. Also perused the statements of Tapeshwari Maravi and Daya Shankar Maravi wherein it is stated that the money was also paid to this applicant.
6. Considering such statements and after perusal of the case diary and other documents and bank statements which are available in this case, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-
GOUTAM BHADURI
JUDGE