

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3473 of 2016

1. Ku. Jyoti Sahu, D/o. Hemant Sahu, aged about 23 years, By Caste-Teli, R/o. Village – Borodipa, Pusour, P.S. & Tahsil – Pusour, District – Raigarh (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station-Pusour, District – Raigarh (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Vivek Kumar Pandey, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/07/2016

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.117/2016, registered at Police Station – Pusour, District – Raigarh (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the applicant pretending herself to be a bank employee got the amount of Rs.40,000/- deposited by operation of ATM in her own account, which the complainant wanted to deposit in her account. Thereby the offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and she has not committed any

offence and because of the wrong submission of account number, the said amount was transferred. He further submits that the amount has been returned by the mother of the applicant to the complainant, 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 that Rs.40,000/- appears to have been returned by the mother of the applicant as per annexure and affidavit and further considering the facts and circumstances of the case and the fact that the applicant is in jail since 03.06.2016, 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 as per rules.

Sd/-
(Goutam Bhaduri)
Judge