

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5571 of 2016

Usha Jyoti Sapher, D/o. Phulchand Sapher, Aged About 29 Years, R/o. Ambedkar Chowk, Badra Para, Balco, Distt. Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Pamgarh, District Janjgir – Champa, Chhattisgarh

As per the rejection order : State Of Chhattisgarh, Through the District Magistrate, Janjgir, District Janjgir – Champa, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vivek Shrivastava, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.10.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.123/2016 registered at Police Station- Pamgarh, District Janjgir-Champa (C.G.) for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code and Section 3 & 4 of the Prize Chits & Money Circulation Schemes (Banning) Act, 1978.
2. As per the prosecution case, a report was made by few of the villagers that the applicant alongwith co-accused had registered a Raniraj Farm House and an amount of Rs.10,000/- was collected from the villagers with an assurance that an amount of Rs.50,000/- would be returned after four years. Subsequently, the office was closed and total amount of Rs.1,70,000/- was deposited by the different villagers; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case, as initially the case was

registered against the applicant in another crime wherein the applicant has been enlarged on bail by the co-ordinate Bench of this Court on 02.05.2013 in M.Cr.C. No.1687/2013 and for the similar chain of incident, second FIR has been registered and the applicant is in jail since 05.06.2016 and the charge sheet has been filed, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary, documents and also the earlier bail order passed by the co-ordinate Bench of this Court. Taking into fact that the applicant has been enlarged on bail by the co-ordinate Bench and the charge sheet has been filed and further taking into the chain of transaction and the amount involved in this case, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge