

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 950 of 2016

- Smt. Rita Yadav W/o Dr. Akhilesh Yadav Aged About 47 Years
R/o Qtr. E. W. S. 405 Vaishali Nagar Bhilai, Tahsil & District Durg
Chhattisgarh **--- Applicant**

Versus

- State of Chhattisgarh through Station House Officer, P.S. Durg,
District Durg Chhattisgarh **--- Respondent**

For the applicant : Mr. Ashish Shrivastava, Advocate.
For the State : Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.10.2016

1. Apprehending arrest in connection with Crime No. 140 of 2013 registered at Police Station Durg, Distt. Durg (C.G) for the offences punishable u/ss 406, 419, 420, 467, 468, 471, 120-B of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a sale agreement was executed between the applicant and complainant Anil Pandey and an amount of Rs.9 lakhs was paid. It is alleged that instead of the photograph of the applicant, photograph of some other lady was attached, thereby the offence is committed.
3. Learned counsel for the applicant would submit that subsequently the issue was settled between the parties in the year 2011-2012 and nothing remains to be adjudicated. However, since the report was made by Anil Pandey, enquiry is being conducted. He further submits that the husband of applicant has been enlarged

on regular bail by this Court in M.Cr.C.No. 5017 of 2016 on 17.08.2016, therefore, the applicant being lady may be admitted to anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer.
5. Considering the facts and circumstances of the case and the nature of allegations levelled against the applicant and further taking into the fact that applicant is lady and offence is alleged to be of the year 2009, I am inclined to admit the applicant to anticipatory bail.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting her or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that she will make herself available for interrogation before the investigating officer as and when required;
 - (ii) that she will not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any police officer;
 - (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that she will appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE