

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 956 of 2016

1. Krishna Devi Singh Gond & Anr. D/o Late. Dharam Pal Singh Gond Aged About 19 Years Caste Gond, R/o Village- Banjaridand, Post Office, Police Station & Tahsil- Khadgawan, District- Korea Chhattisgarh.
2. Sanjay Singh Kamro S/o Nandlal Singh Gond, Aged About 34 Years R/o Village- Tilwandand, Post Office & Police Station- Charcha, District- Koriya, Chhattisgarh --- **Applicants**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Khadgawan, District Koriya, Chhattisgarh.

---- **Respondent**

For the applicants : Mr. Shivendu Pandya, Advocate.
For the State : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

1. Apprehending arrest in connection with Crime No. 32/2016 registered at Police Station Khadgawan, Distt. Koriya (C.G) for the offence punishable u/s 420/34 of IPC, the applicants have filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, applicants were working as daily wagers in Research India Pvt. Ltd., which is a Non-Governmental Organisation (NGO) and it was assigned the programme of administering Hepatitis-B injections to the villagers. It is alleged that the vaccines are being supplied by the Government free of cost whereas the applicants have collected Rs.50/- per injection without obtaining permission from the District Medical Hospital,

thereby the offence has been committed.

3. Learned counsel for the applicant would submit that applicant No.2 Sanjay Singh Kamro has been arrested, therefore, his application has become infructuous.
4. So far as it relates to applicant no.1 Krishna Devi Singh Gond is concerned, learned counsel submits that she is a lady of aged about 19 years and no allegations have been attributed to her that she has collected any amount and she has complied with the instructions of higher officials of the said Organisation, therefore, she may be enlarged on bail.
5. Per contra, learned State Counsel opposes the prayer.
6. Perused the case diary documents and the statements of witnesses. It appears that no direct allegations have been attributed to applicant No.1 Krishna Devi Singh Gond. Further taking into the fact that applicant no.1 is a lady aged about 19 years and if she is arrested her future prospects will be badly affected, therefore, I am inclined to admit her to anticipatory bail.
7. 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**

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