

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6096 of 2016

Sunaina Devi, W/o Shri Manohar Tamrakar, Aged About 45 Years,
Caste Thatera, R/o Tapkara, Post- Tapkara, Tahsil- Farsabahar,
District Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station- Kunkuri, District Jashpur, Chhattisgarh.

---- Respondent

For applicant - Ms. Madhunisha Singh, Advocate.
For Respondent/State – Shri Neeraj Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

24/10/2016

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.35/2016 registered in Police Station Kunkuri, Distt. Jashpur (C.G.) for offence punishable under sections 420, 424, 467 and 468 of Indian Penal Code, 1860.
2. As per the prosecution case, a report was made by one Lekhan Ram on 19/02/2016 that loan was obtained from the Allahabad Bank in the year 2004 whereby complainant was given understanding that he would be the guarantor but the loan documents were in the name of complainant and agricultural loan was availed of Rs. 5 lakhs. Subsequently, when notice came from the bank for non-payment, the matter came to the fore and the report was made.
3. Learned counsel for the applicant submits that Lekhan Ram has obtained loan and the tractor was availed from the agricultural loan which was given on rent to the present applicant and he had paid Rs.3 lakhs in the bank for payment of the loan and due to break down of the tractor, entire amount was not paid which led to dispute and the applicant was

abused and assaulted by the complainant for which report was made on 14/07/2015 to the Collector Jashpur. She submits that the applicant has been falsely implicated in the case, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Also perused the statement of Lekhan Ram. Taking into nature of dispute and all the evidence appears to be documentary in nature and also taking into fact that the applicant is a lady, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE