

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6941 of 2016

1. Chandrika Bai, Wd/o. Shanker Lal Verma, aged about 42 years, R/o. Village-Chhechhar, Police Station – Kasdol, District – Baloda Bazar – Bhatapara (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station, Kasdol, District – Baloda Bazar – Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. A.S. Rajput, Advocate

For Respondent/State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/11/2016

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.173/2016, registered at Police Station – Kasdol, District – Baloda Bazar -Bhatapara (C.G.) for the offence punishable under Section 120B, 419, 420/34, 467, 468 & 471 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by Chandrika Bai Patel that the present applicant, who is Chandrika Verma along with her brother-in-law Bhagwano have sold the land, which was held by her in joint family in the year 2011 and the complainant came to know of the fact in the year 2015. Subsequently, the report was made. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant is a illiterate lady and the main allegation is attributed to the brother-in-law and sale was made in the year 2011. It is further submitted that no further investigation is necessary, and the applicant is in jail since 07.09.2016 and she being a lady, 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 as also the sale deed. Taking into the facts and circumstances of the case and the nature of evidence, which is documentary in nature and further taking into the fact that the applicant is a lady, who is in jail since 07.09.2016, 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