

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7784 of 2016

1. Smt. Madhuri Chaudhari W/o Late R.R. Chaudhary Aged About 62 Years Profession Retd Teacher, R/o Quarter No. 20 C, Avenue B Sector No.7 Bhilai District Durg, Chhattisgarh.
2. K. Joshwa S/o Late Ashudas Aged About 46 Years R/o Quarter No.20 C, Avenue B, Sector No 7, Bhilai District Durg, Chhattisgarh.
3. K.Nisha W/o K.Joswa Aged About 42 Years R/o Quarter No.20 C, Avenue B, Sector No 7, Bhilai District Durg, Chhattisgarh.

---- Petitioners

Versus

- State Of Chhattisgarh Through Station House Officer, Pulgaon Thana, District Durg, Chhattisgarh.

--- Respondents

For Applicant : Mr. Anurag Jha, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08-12-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 24-6-2016 in connection with Crime No. 244 of 2016, registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Sections 420, 467, 468, 471, 408, 381, 120-B/34 of the IPC.
2. As per prosecution case, a report was made by P.B. Deshnukh, Director of Shankaracharya Technical Campus, Bhilai that one Sagar Barker who was working as an Accountant and Data Entry Operator has withdrawn an amount of Rs.95,82,275/- at different points of time and deposited the same in different accounts of his relatives and friends (total 110 persons) and withdrew the same with their help and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that in the account of Smt. Madhri Chaudhari Rs.1,23,183/-, in the account of K. Joshwa Rs.1,18,800/- and in the account of K. Nisha Rs.1,24,644/- were deposited and the applicants were not aware of the fact that the amount was deposited in their accounts by the other co-accused persons. He would further submit that case of the present applicants is similar to that of other co-accused who have been granted bail vide order dated 30-11-2016 passed by this Court in M.Cr.C.No. 7693 of 2016, therefore, the applicants may also be released on bail on the ground of parity.
4. *Per contra*, learned State counsel opposes the prayer for grant of bail, however, he does not dispute the fact that the case of the applicants is similar to that of other co-accused persons who have been granted bail by this Court.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegation leveled against the applicants and considering the fact that charge-sheet has been filed, the applicants are in jail since 24-6-2016 and further considering the fact that similarly placed other co-accused persons have been granted bail, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

