

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7815 of 2016

1. Ku. Anjali Kshatriya, D/o. Shri Deepak Kshatriya, aged about 21 years,
R/o. Islam Nagar, Utkal Para, Ward No.5, Supela, Tahsil and District –
Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Collector/District Magistrate, Durg,
District – Durg (C.G.)

---- Respondent

For Applicant	: Mr. Raghavendra Pradhan, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2016

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.244/2016, registered at Police Station – Pulgaon, District – Durg (C.G.) for the offence punishable under Section 408, 420, 467, 468, 471, 381, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by P.B. Deshmukh, Director of Shankaracharya Technical Campus, Bhilai that one Sagar Borker who was working as an Accountant and Data Entry Operator had withdrawn an amount of Rs.95,82,275/- at different points of time and deposited the same in different accounts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 for the applicant submits that in the account of applicant Rs.59,400/- was deposited twice i.e. on 28.09.2015 and 29.03.2016 and the applicant was not a party to the conspiracy and the main allegations have been attributed to Sagar Borker. He would further submit that charge-sheet in this case has been filed and the applicant is in jail since 24.06.2016. It is further submitted that similarly situated co-accused in this case has been enlarged on bail vide order dated 28.09.2016 in M.Cr.C. No.5898/2016, therefore, the counsel prays that the applicant may also be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application, however, he is not able to dispute the fact that similarly placed co-accused in this case has been enlarged on bail.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents as also the memorandum statements. Considering the facts and circumstances of the case and further taking into the fact that similarly placed co-accused in this case has been enlarged on bail vide order dated 28.09.2016 in M.Cr.C. No.5898/2016, 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

Balram