

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8026 of 2016

1. Smt. Gangmai, W/o. Shri David Anayo, aged about 40 years, R/o. Village – Roda Dai, Police Station – Nugwa, District – Tamelong, Manipur -795147

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Manendragarh, District – Koriya (C.G.)

---- Respondent

For Applicant	: Ms. Sharmila Singhai, Advocate
For Respondent/State	: Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/12/2016

1. This is the second 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.307/2015, registered at Police Station – Manendragarh, District – Koriya (C.G.) for the offence punishable under Section 420, 467, 468, 471, 34 of Indian Penal Code, Section 13 of Foreign Act, Section 12 (1) (g) of the Passport Act and Section 66 of the I.T. Act. The first bail application was dismissed as withdrawn with liberty to renew the prayer after filing of the charge-sheet in M.Cr.C. No.6873/2016 vide order dated 08.11.2016.

2. Case of the prosecution, in brief, is that a report was made by one Aqib Altaf that he received a phone call on his mobile that he has won a lottery of Rs.7.42 Crores. Subsequently, he was asked to deposit different amounts and total Rs.7,32,300/- was deposited in the bank account over different period of time. Subsequently, the price amount was not received by complainant and during investigation it revealed that this applicant, who is wife of other co-accused has committed the offence along with others.
3. Learned counsels for the applicant submits that entire allegation of transaction is on husband of the present applicant David Peter and the present applicant has not committed any offence. It is further submitted that the applicant is pregnant and is in jail along with her children. It is further submitted that charge-sheet in this case has been filed and the applicant a lady is in jail since 28.08.2016. Therefore, 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. Charge-sheet in this case has been filed. Perusal of the document would show that the applicant appears to be pregnant. Taking in to the statement Aqib Altaf as primary allegations are attributed to the husband of the applicant and taking the fact that the applicant is a lady and is in jail since 28.08.2016 and appears to be pregnant as per document

enclosed with bail petition predominantly taking into such ground, this Court is inclined to extend the benefit of bail to this applicant.

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