

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE (A) NO. 909 OF 2017

Smt. Minakshi Thakur, W/o Fanendra Kumar Thakur, aged about 48 years,
R/o Plot No. 69/1, Nehru Nagar (WEST), Bhilai, Tehsil & District Durg (CG)

... Applicant

versus

State of Chhattisgarh, through Police Station- Old Bhilai-3, District Durg (CG)

... Non-applicant

For Applicant : Mr. Shakti Raj Sinha, Advocate.
For Non-applicant/State : Mr. Gary Mukhopadhyay, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/11/2017

1. The present is an application under Section 438 of CrPC seeking for grant of anticipatory bail to the Applicant who is apprehending her arrest in connection with Crime No.227/2017, registered at Police Station- Old Bhilai, District- Durg, for the offence punishable under Section 420 of IPC.
2. Case of the prosecution against the Applicant is that the husband of the Applicant is said to have played fraud with certain suppliers in respect of certain raw materials which were purchased by the husband of the Applicant. The allegation against the Applicant is that when the Complainant went to recover the money from her husband for the raw materials supplied, the present Applicant was projected by her husband and a threat was given to the Complainant of falsely implicating him in some criminal case.
3. Learned Counsel for the Applicant submits that even if the entire version of the prosecution is accepted, the ingredients required for the making out an offence under Section 420 of IPC so far as the Applicant is concerned is not made out.

4. The said factual aspect as narrated by the learned Counsel for the Applicant is not disputed by the learned Counsel for the State on referring the case diary.

5. In the given facts and circumstances of the case, this Court is of the opinion that prima facie a strong case is made out for grant of anticipatory bail.

6. Accordingly, the present application under Section 438 of CrPC is allowed. It is ordered that in the event of arrest of the Applicant in connection with Crime No.227/2017, registered at Police Station- Old Bhilai, District- Durg, for the offence punishable under Section 420 of IPC, if she furnishes a personal bond for a sum of **Rs.25,000/- with one surety** of the like amount to the satisfaction of the concerned arresting/investigating officer or the Court concerned, as the case may be, then she shall be released on bail on the following further conditions :

(i) that the applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required;

(ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
Judge