

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 651 of 2017

Smt. Rasida Begam, W/o. Imam Khan, Aged About 60 Years, R/o. Village Pacheda, Police Station Vidhan Sabha Bhawan, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/02/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.93/2010 registered at Police Station- Dhamda, District Durg (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471/34 & 120-B of Indian Penal Code.
2. As per the prosecution case, a complaint was made by Abdul Rauf that he was holding a land alongwith his sisters Joharbano and Hajiyani Bachchi Bai, which was sold by Narmada Prasad Tiwari by personified himself as Abdul Rauf and the applicant Rasida Begum and one Quresha Begum were projected as Joharbano & Hajiyani Bachchi Bai and sale deed was made in name of Kanhaiya Lal Sahu, who was servant of Suryakant Patel. Thereby, the offence has been committed.

3. Learned counsel for the applicant would submit that the charge sheet in this case has been filed, no further investigation is necessary and the nature of evidence is documentary in nature. He further submits that the similarly placed co-accused has been released on bail by this Court on 31.01.2017 in MCRC No.356 of 2017, therefore, the present applicant may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been released on bail.
5. Perused the case diary and the documents. Considering the nature of evidence, which appears to be documentary in nature and further considering the fact that the applicant is a 60 years old lady and the similarly placed co-accused has already been enlarged on bail, I am inclined to release the present applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge