NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.2440 of 2017

- Seema Dewangan W/o Purninder Dewangen Aged About 35 Years R/o Rampur, Kasdol Police Station- Kasdol, District- Baloda Bazar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh District Magistrate Janjgir- Champa District- Janjgir- Champa, Chhattisgarh.

---- Respondent

For Applicant : Shri Rupesh Trivedi, Advocate
For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

24.7.2017

Perused the report of office showing that no other co-accused have preferred any bail application for their release on bail.

2. Heard the matter finally.

3. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.371/2016 registered in Police Station Janjgir Champa, Distt. Janjgir Champa (CG) for the offence punishable under Sections 409/34, 420/34 of the Indian Penal Code and Section 4, 5 & 6 of Chit Funds Act, 1982 and Section 6(5) of the Protection of Depositors Interest Act, 2005.

4. Learned counsel for the applicant submits that applicant has been arrested on 28.8.2016, after investigation, concerned police has filed charge sheet which is pending before Additional Sessions

Judge, Champa as Sessions Trial No.127/2016. Learned counsel for the applicant would submit that out of 19 witnesses cited, ten were examined, no one identified the applicant during trial, meaning thereby all these witnesses have not said anything against the applicant so as to connect her for the charges. The applicant, a women, is in jail since long, hence she may be granted bail.

5. Per contra, learned counsel for the State opposed the arguments advanced on behalf of applicant and would submit that in the evidence collected against the applicant and other accused persons, it appears that they have taken money about 25 crores from investors thereafter not returned the said amount to the investors.

6. Perused the entire material.

7. On due consideration of the evidence collected against the present applicant and as the matter is at trial stage and also looking to the entire evidence collected, I am not inclined to grant bail to the applicant.

8. Accordingly, the bail application filed on behalf of applicant under Section 439 of the Cr.P.C. is hereby dismissed.

Certified copy as per rules.

Sd/-

(Chandra Bhushan Bajpai)

JUDGE

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