

HIGH COURT OF CHHATTISGARH, BILASPUR

M. Cr. C. No. 3550 OF 2017

Smt. Manjusha Bai wife of Harishchandra, aged about 35 years, resident of Village Newari Kala, Police Station Balod, District Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Nawagarh, District Bemetara (C.G.)

---- Non-applicant

For Applicant : Mr. Umakant Singh Chandel, Advocate

For Non-applicant : Mr. Gary Mukhopadhyay, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/06/2017

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.176/2008 registered at Police Station- Nawagarh, District Bemetara (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant obtained the job of Shiksha Karmi Grade-III on the basis of forged mark-sheet in the year 2006-2007, for which, a First Information Report was lodged in the year 2008, thereafter, the applicant was initially arrested on 07/03/2009 and released on 20/03/2009, subsequently, the charge-sheet was filed. The applicant remained absent and again warrant of arrest was issued on 28/06/2014 and she was finally arrested on 19/04/2017.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in the case. He further submits that applicant is lady and she is in jail with her minor child. He would further submit that no further investigation would be necessary and because of some miscommunication, she could not appear, therefore, the applicant may be released on regular bail.
4. The learned counsel for the State would oppose the prayer for grant of bail to the applicant.
5. Perused the case diary and considered the facts and circumstances of the case; applicant is lady; she is in jail since 19/04/2017; the evidence appears to be documentary in nature and the offences are triable by Judicial Magistrate First Class, 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.

Certified copy as per Rules.

Sd/-

(Goutam Bhaduri)
Vacation Judge