

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1191 of 2016

- Smt. Anita Yadav W/o Suresh Yadav, Aged About 41 Years R/o H- 24, New Pension Bada, Raipur, Civil & Reveue District Raipur Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh Through Magistrate Raipur, Police Station - Civil Lines Raipur, Civil & Revenue District Raipur Chhattisgarh ---- **Respondent**

For the applicant : Mr. Ashok Soni, Advocate
For the State : Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.01.2017

1. Apprehending arrest in connection with Crime No. 589 of 2016 registered at Police Station Civil Lines, Raipur, Distt. Raipur (C.G) for the offences punishable u/ss 420, 120-B of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, the husband of applicant on the pretext of providing job received an amount of Rs.10,45,000/- from more than 20 persons and the applicant has also received some amount thereby the offence is alleged to have been committed.
3. Learned counsel for the applicant would submit that co-accused Suresh Kumar Yadav has been enlarged on bail by this Court in M.Cr.C.No.7174/2016 on the ground that compromise has been effected with the complainant and the verification was also made wherein it was reported that the entire amount has been refunded, therefore, the

applicant who is merely wife of the other accused Suresh Kumar Yadav may be enlarged on anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer. However, he is not able to dispute the fact that co-accused Suresh Kumar Yadav who is the husband of present applicant has been enlarged on bail on the ground that the amount has been repaid and the compromise has been entered into between the parties.
5. Perused the case diary and the bail order of co-accused Suresh Kumar Yadav passed in M.Cr.C.No.7174/2016 on 29.11.2016.
6. Considering the nature of allegations and the fact that certain compromise has been entered between the parties which stands recorded in the earlier order, I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting her or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that she will make herself available for interrogation before the investigating officer as and when required;
 - (ii) that she will 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 any police officer;
 - (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial;

and

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

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

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