

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1255 of 2016**

1. Satyabhama Singh, D/o. Late Shri Nanki Singh, Aged About 52 Years, Caste -Thakur, R/o. Village Mulmula, Police Station & Tahsil-Pamgarh, District Janjgir- Champa, Chhattisgarh.

----Applicant**Versus**

1. State Of Chhattisgarh, Through : The Station House Officer, Police Station -Pamgarh, District Janjgir- Champa, Chhattisgarh. .

---- Respondent

For Applicant	: Mr. Vivek Singhal, Advocate
For Respondent/State	: Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/03/2017**

1. Apprehending arrest in connection with Crime No.215/2016 registered at Police Station- Pamgarh, District – Janjgir-Champa (C.G.), for offence punishable under Section 409 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution in brief is that a report was made by one Jawahar Yadav that the present applicant, who is the Headmistress of School Bhaiso, Pamgarh has sold out the books worth Rs.1300/-, which was meant for distribution to the students and the report was made on 14.09.2016. Subsequently, an enquiry was conducted by B.E.O. and it was found that certain books were not available. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that since certain objections were raised against the complainant by the applicant that he tried to outrage some of the students, therefore, in a counter blast, the false allegations have been made and it is not plausible that the present applicant only for Rs.1300/-, the applicant who is Headmistress put his carrier into stake. It is further submitted that the applicant has been falsely implicated in this case. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and the documents. Perusal of the documents shows that an enquiry was made and different statements were also recorded of the school staff and also the statement of purchaser. Taking into the fact the nature of allegation and the fact that the applicant is a lady Headmistress, this Court is inclined to extend the benefit of anticipatory bail to the applicant as perusal of the document appears that the custodial interrogation of the applicant may not be required.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge