

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7849 of 2016

Smt. Mobina Begam, aged about 28 years, W/o. Gulam Hazrat Ali, R/o. Village-Ghobar, Thana – Pendra, District – Bilaspur (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : Police Chowki, Rampur, District – Korba (C.G.)

---- Respondent

For Applicant	:	Mr. Parag Kotecha, Advocate
For Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/01/2017

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.566/2016, registered at Police Station- Kotwali, Chowki- Rampur, District – Korba (C.G.) for the offence punishable under Section 420, 120-B/34 of Indian Penal Code.
2. Case of the prosecution in brief is that in the month of October, 2016, the applicant in order to provide job to Sangram Singh and others has obtained Rs.15,000/- each from six persons and obtained around an amount of Rs.1,00,000/-. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the incident is of the year 2016 and on 13.11.2016, the offence was registered. It is further submitted that the applicant was only working in Global Trading Enterprises Pvt. Ltd. and the franchise was given to Manokamana

Enterprises and the owner is Rai Singh and the entire amount was taken by him and the applicant being the employee was only present and no offence has been committed by her. It is further submitted that the affidavits have been sworn by the complainant – Mahesh Kumar, Amrit Singh Porte, Randhir Kumar, wherein it is stated that the amount was not given to the present applicant. It is further submitted that Sangram Singh had already given an affidavit before the trial Court. Therefore, the counsel prays that the applicant may be enlarged on bail.

4. The State counsel was directed to verify the authenticity of the affidavits filed by the applicant.
5. The State counsel on verification submits that the affidavits which have been enclosed along with the bail application, wherein it is stated that the amount was not given to the applicant have been verified and they are correct.
6. Considering the fact that no allegations have been attributed to the present applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on her 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge