

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case (A) No.1420 of 2016**

- Smt. Babita Khandelwal W/o Late Narayan Khandelwal, Aged About 36 Years R/o Harna Bandha, Near Muktidham, Harna Bandha, Durg, Tahsil And District- Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Durg, District- Durg Chhattisgarh.

---- Respondent

For Applicant	: Shri Jitendra Gupta and Shri Tarun Dansena, Advocates
For Respondent/State	: Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****21.7.2017**

Heard the matter finally.

2. This application under Section 438 of Code of Criminal Procedure, 1973 (for short 'the Code') has been filed by the applicant apprehending her arrest in connection with Crime No.250/2016 registered at Police Station Durg (CG) for offence punishable under Sections 3 & 7 of the Essential Commodities Act, 1955.

3. It is submitted on behalf of the applicant that the applicant, a woman of 36 years old, has not made any embezzlement in her Fair Price Shop, only allegation as per the prosecution is that she has not distributed the grain and other articles to the true card holders and when the Food Inspector made inspection on 21.12.2015, he noticed may irregularities in her Fair Price Shop. Learned counsel for the

applicant submits that the applicant will not abscond, she will cooperate in the trial, hence, she may be granted anticipatory bail.

4. Per contra, learned counsel for the State opposed the arguments advanced on behalf of the applicant and would submit that looking to the entire facts, the applicant may not be granted the benefit of anticipatory bail. There is direct allegation against the applicant for non distribution of food items and irregularities were found against her.

5. Perused the entire material.

6. On due consideration of the entire material collected against the applicant, I am not inclined to grant anticipatory bail to the applicant.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is hereby dismissed.

Certified copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE