

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 43 of 2017

1. Smt. Mridula Bajpai, W/o. Anil Bajpai (wrongly mentioned in previous bail order as D/o. Anil Bajpai), aged about 42 years, R/o. 7-B, Q.No. 597/5, Plot No.5, Ashish Nagar, Thana – Nevai, Bhilai, Tahsil and District – Durg (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Thana- Nevai, Bhilai, Tahsil and District – Durg (C.G.)

---- Respondent

For Applicant	: Mr. Neeraj Pradhan, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/02/2017

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.8/2016, registered at Police Station – Nevai, District – Durg (C.G.) for the offence punishable under Section 420, 467, 468, 471 and 34 of the Indian Penal Code. The first bail application was dismissed vide order dated 16.11.2016 in M.Cr.C. No.6803/2016.
2. Case of the prosecution, in brief, is that a report was made by the complainant Arun Kumar Shrivastava that the applicant along with other co-accused in order to provide job to the son and nephew of the complainant in Railways had received a total sum of Rs.16,00,000/-

(cash) and thereafter at the instance of the applicant, complainant went to Kharagpur along with his son and nephew to get medical examination for appointment and thereafter joint appointment letter was received which was found to be forged and ultimately appointment was not made and thereby the aforesaid offence was committed.

3. Learned counsel for the applicant would submit that the family members of the applicant and the complainant have entered into compromise and it was monetary transaction and out of Rs.16.00 lakhs, Rs.10.00 lakhs has already been paid and the rest of the amount has been agreed to be paid @ Rs.25,000/- per month to liquidate the outstanding of Rs.6.00 lakhs and the parties have entered into compromise. A reference was made by the counsel to the document Annexure A/4 i.e. the agreement and prays that the applicant may be enlarged on bail.
4. The state counsel was directed to verify the same whether such compromise has been affected and agreement was executed or not.
5. The State counsel on verification submitted that parties have entered into compromise.
6. Perused the document/Ekrarnama (Annexure A/4). It appears that part of the amount has been returned and the rest of the amount is agreed to be returned back. Considering the facts and circumstances of the case, taking into such documents and the nature of allegations, 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 the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the 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

Balram