

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 164 of 2017

Smt. Mukta Dubey, W/o. Rajendra Dubey, Aged About 30 Years, R/o. Ward No. 06, Police Station- Bemetara, Mohbhatta, Tahsil & District- Bemetara, Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Vaibhav A. Goverdhan, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24/01/2017

1. This is the second 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.547/2016 registered at Police Station- Bemetara, District Bemetara (C.G.) for the offence punishable under Section 420/34 of Indian Penal Code.
2. As per the prosecution case, one Sheikh Mehmood was authorised to constitute different help groups so that they may get loan under the policy of the Government i.e. Rashtriya Shahri Ajiwika Mission. Consequently, the applicant alongwith other co-accused Sheikh Mehmood in order to get the loan sanctioned from the Government received different amount, which amounting to Rs.2,30,000/-. Thereby, the offence has been committed.
3. Learned counsel for the applicant would submit that this is the second bail application, the earlier bail application was dismissed

as withdrawn on 17.11.2016 with liberty to file afresh after filing of the charge sheet. He submits that in order to get the loan sanctioned, the project report was required and an agreement was entered in between the group and there is no forgery has been played. He further submits that false allegations have been attributed, applications are lying with the challan and the charge sheet has been filed, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of allegation and further taking into fact that the charge sheet has been filed and all the evidence appears to be documentary in nature, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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.

Sd/-
(Goutam Bhaduri)
Judge