

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 767 of 2017

- Smt. Shilpa Kaushik D/o Shri Ram Bilas Kaushik, Aged About 36 Years
R/o Raipur Road Parsada, P. S. Chakarbhata, District Bilaspur,
Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, P. S.
Chakarbhata, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. R.S. Marhas, Advocate.
For Respondent/State	:	Mr. Neeraj Jain, Govt. Advocate.
For Objector	:	Mr. Achyut Tiwari, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

30/11/2017

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No. No.326/2017 registered at Police Station- Chakarbhata, District – Bilaspur(C.G.), for the offences punishable under Sections 420, 467, 468, 294 & 506/34 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant herself is a Subject Specialist in the Agricultural Department and also pursuing her Ph.D., whereas her deceased husband was the Development Officer in the Life Insurance Corporation and was also engaged in the business of real estate. Applicant and her husband have a joint account in which all

the money collected were deposited and transacted. Complainant-Savita Sahu had lodged a false complaint against the applicant after the death of her husband alleging that applicant has received amount from her and other persons on the pretext of providing employment. This is totally a false allegation made soon after the death of her husband, who may have received the amount from the said persons and deposited the same in the joint account held by the applicant and her husband. If the alleged transactions were infact taken place then the applicant has no connection with those transactions. Hence, it is prayed that applicant be benefited with the anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect. It is submitted that complainant Savita Sahu and various other witnesses have given statement under Section 161 of CrPC making direct allegation against the applicant that she and her husband have jointly received the amount from various persons for arranging appointment to them, hence, no case is made out for grant of anticipatory bail.
4. Learned counsel for Objector adopts the argument of the State and submits that looking to the direct allegation made by the complainant and the witnesses in this case, applicant is not entitled for grant of anticipatory bail.
5. Heard the parties and perused the case diary.
6. As per the complaint against the applicant, complainant Savita Sahu has alleged that applicant and her husband had received Rs.12 lakhs from her on the pretext that they will arrange appointment for her son on the post of Probationary Officer in the State Bank of India. On the same pretext, the amount has been received from Rajendra Kumar

Sahu, Balkrishna Patanwar, Parasram, Khemsingh Markam, Jagmohan Tandon, Vijay Tandon, Eshwari Sahu, Indra Kumar and Rahul Sharma in various denominations. Thereafter, forged result of the said competition examination and forged appointment letters were also floated by the applicant and her husband. After coming to know about the commission of offence of fraud and cheating, the complaint has been lodged by the complainant.

7. Considering the submissions and the contents of the case diary, looking to the nature of allegations, which are direct against the applicant, I am of this view that this is not a fit case where the applicant should be released on anticipatory bail.
8. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge