

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 25 of 2018**

Dharmendra Kumar S/o Shri Babulal Sahu, Aged About 34 Years R/o Village Pawni, P. S. Bilaigarh, Civil And Revenue District Balodabazar Bhatapara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bilaigarh Civil And Revenue District Balodabazar Bhatapara Chhattisgarh.

---- Respondent

For the Applicant : Shri Sunil Sahu, Advocate.
For the Respondent/State : Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****30.01.2018**

Heard.

1. This is the first 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. 408 of 2017, registered at Police Station Bilaigarh, District Baloda Bazar, Chhattisgarh for the offence punishable under Sections 420, 467, 468 and 471/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.11.2017 and has been falsely implicated in this case. The applicant is simply the owner of the shop, in which he helps the customers in filling up the on-line application forms and other things that are done on the computer system. In this case, the applicant helped Anjulata, Sangeeta and

Chameli to fill up on-line applications for some scheme of Kanya Vivah Yojna which was submitted and the same was later on rejected by the Department. Apart from that, the applicant has not done any overt act to help the main accused person in commission of cheating and forgery etc. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant had helped the main accused persons in this case for preparation of forged marriage certificate of the beneficiaries. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. Complainant – Peen Bai, Sarpanch, Gram Panchayat, Pawni has given a written complaint stating that Meerabai Sahu, Hushi Sahu and Dharmendra Sahu have submitted false certificate and papers to obtain the amount for Kanya Vivah Yojana from the labour department. On the basis of the information received, the case has been registered against the main accused persons and this applicant.

6. Taking into consideration the overall statements of the witnesses and the other evidence that is proposed to be presented in the prosecution of this applicant, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge