

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1399 of 2018

- Smt. Sandhya Meshram W/o Mr. Ashok Meshram Aged About 51 Years
R/o- Shankar Nagar, Raipur, Tehsil And District- Raipur, Chhattisgarh,
District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station Mainpur, District-
Gariyabandh., District : Gariyabandh, Chhattisgarh

---- Respondent

For Applicant	:	Mr. B.P. Sharma and Mr. Charkresh Tiwari, Advocate.
For Respondent/State	:	Mr. Anil S. Pandey, Govt. Advocate.

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

24/04/2018

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.14/2010, registered at Police Station- Mainpur, District – Gariyabandh(C.G.) for the offence punishable under Sections 409, 420, 467, 468, 471/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. No case is made out against this applicant according to the charge-sheet filed against her. On an internal inquiry being made by the department, it has been found that this applicant is the beneficiary of defalcated amount. This applicant has been working as a public servant at the time of incident i.e. during

the year 2007-08 and even on the date of surrender before the trial Court i.e. on 29.1.2018, she was working as a public servant. The charge-sheet was filed without any intimation to this applicant as soon as she came to know that she has also been involved in the case, she immediately surrendered before the Court. Hence, it is prayed that she may be granted regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is direct evidence in the case to show that this applicant was involved in the offence of defalcation committed by her alongwith co-accused persons. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, an Inquiry Committee was constituted by Zila Panchayat, Raipur, for financial irregularities committed in nine projects of road construction in the year 2007-08 in Mainpur block. As per report of the said Committee, this applicant along with co-accused persons was involved in the defalcation and amount of Rs.2,08,18,000/- has been embezzled by all the persons responsible. After lodging of FIR, the case was investigated and charge-sheet was filed in the year 2012.
6. Perused the case diary it appears that this applicant is a public servant, she was never placed under suspension by the department, she herself had surrendered before the trial Court and thus submitted before the process of law, therefore, I am of this view that she should be granted regular bail during the pendency of trial against her.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her

furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha