

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1188 of 2018

- Smt. Rajkumari Kindo W/o Late Abhay Kindo, Suspended Assistant Sub-Inspector, Aged About 48 Years, R/o.- Nehru Nagar, Ameri Road, P.S.- Civil Lines, District-Bilaspur (C.G.), District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Civil Lines, District- Bilaspur (C.G.), District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri P.K.Verma, Senior Advocate with Shri Virendra Verma, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Deputy A. G. and Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-03-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 21-01-2018 in connection with Crime No.74/2018 registered at P.S. Civil Lines, District- Bilaspur, Chhattisgarh for the offence under Section 409, 420, 467 & 471 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is posted as Assistant Sub-Inspector in P.S. Civil Lines Bilaspur, presently under suspension. She is in custody since 21-01-2018 and today is 61st day of her detention and till date charge sheet has not been filed, which is a ground for grant of bail, hence, it is prayed that she may be granted bail. It is further submitted that no case is made out against this applicant on the basis of the material present in the case against her. As alleged about 10 traveling allowance bills were prepared by this applicant in capacity of Accountant were inflated with ulterior motive and of which this applicant was not a beneficiary. Further, it is submitted that as pointed out, the amount of which loss has been caused to the department, this applicant has deposited the same through challan with interest and that

amount is Rs.1,58,062/-. It is also submitted that in the departmental enquiry though this applicant was found guilty, but she has been punished lightly, in which, she has been reverted to a lower cadre post for a period of two years and has not been removed from the service. Hence, it is prayed that under these circumstances, the applicant may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant is responsible for inflation of traveling allowances bills of various police officers and TA bill of herself and thus causing loss of Rs.15,47,897/- to the department, an enquiry has been made by a committee of three police officers, on the basis of which she has been proceeded against departmentally. Hence, no case is made out for grant of bail.

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

5. The case against this applicant is briefly discussed hereinabove.

6. Considering this fact that this applicant is still a public servant and has a designation of Assistant Sub-Inspector in police. The matter is still under investigation, and no prayer has been made on behalf of the State counsel for any custodial interrogation or that there is any requirement of detention of this applicant for the purposes of investigation, hence, I am of this view that this applicant should be granted regular bail.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge