

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2611 of 2018

- Smt. Meena Saudagar Wd/o Late Shri Kamlesh Saudagar, Aged About 35 Years R/o- Motipur, Thana Chikhli, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- District Magistrate, Police Station- Bhilai Nagar, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Arvind Shrivastava, Advocate.
For Respondent : Mr. Anil Pandey, Govt. Advocate.

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

17/05/2018

1. This is the first 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.69/2017, registered at Police Station– Bhilai Nagar, District– Durg (C.G.) for the offence punishable under Sections 420, 406, 409, 120B & 34 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 12.2.2017. No case is made out against her according to the material present in the charge-sheet. The case is triable by JMFC and trial is still not concluded. Hence, it is prayed that she may be released on

regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the prosecution case, it is alleged that this applicant was required to pay amount of sale consideration of Rs.28 lakhs to complainant Shatrughan Swarnkar in the year 2010-11. Co-accused Hina Hirani gave assurance to the complainant that the sale consideration will be paid to him after the sale of land belonging to him. It is alleged that this applicant and co-accused Hina have sold the land and received huge consideration but even then the payment of sale consideration has not been made to the complainant. Hence, this case.
6. Considered on the entire material present in the case diary. Applicant is a local resident of District Rajnandgaon, the case is presently pending before the trial Court and is likely to take some time for its conclusion and for this reason, I am of this opinion that this is a fit case where the applicant should be enlarged on regular bail.
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 trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge