

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3277 of 2018**

Smt. Sundermati Sahu D/o Sahdev Sahu Aged About 47 Years Caste Teli,
R/o- Village Odekera, Tahsil And P.S. Pussaure, District- Raigarh,
Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- District Magistrate, District- Raigarh,
Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Arun Kochar, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.06.2018**

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. 243 of 2015, registered at Police Station Kotra Road, District Raigarh, Chhattisgarh for the offence punishable under Section 420/ 34 of the Indian Penal Code and Section 4 of the Chhattisgarh Samaj Ke Kamjor Vargon Ke Krishi Bhumi-Dharakon Ka Udhari Dene Walon Ke Bhumi Hadapan Sambandhi Kuchakron Se Paritran Tatha Mukti Adhiniyam, 1976.

2. Learned counsel for the applicant submits that the applicant is in jail since 23.4.2018 and has been falsely implicated in this case. No case is

made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused – Jitendra Kumar Sahu has been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 345 of 2016 vide dated 29.01.2016 and the nature of allegation is also lighter against the applicant as compared to the allegation against main accused – Jitendra Kumar Sahu. 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.

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

5. It is alleged that this applicant alongwith co-accused – Jitendra Kumar Sahu as money lender have lended money to the complainant and others and the lands belonging to them were transferred in favour of the applicant by sale deed with a promise to return after the lended money was returned back to them. For the purpose of valuation of the property, the documents were forged to show lesser value of the property which were transferred by the registered sale deed and thus causing loss to the State exchequer. One of the borrowers Toshram lodged FIR. During investigation, the name of this applicant has appeared and seizure of one registered sale deed has been made from the possession of this applicant. Hence, this case.

6. On perusal of the case-diary, it appears that Jitendra Kumar Sahu is the main accused who has induced and cheated number of persons whereas one registered sale deed in favour of this applicant has been seized

from the possession of this applicant. Considering the above facts and the fact that the co-accused persons in this case have been granted bail by the Co-ordinate Bench of this Court, I am of the considered view that in this case the applicant deserves to be enlarged on bail.

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

8. It is directed that 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