

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3827 of 2018**

Smt. Madhuri Patel W/o Shri Ramanand Patel, Aged About 45 Years
Resident Of Village Jheent, Thana Amleshwar, Tehsil Patan, And District
Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Amleshwar, District Durg,
Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****05.07.2018**

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.10 of 2018, registered at Police Station – Amleshwar, District Durg, Chhattisgarh for the offence punishable under Sections 420 and 506/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.1.2018 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 and the case is presently before the trial Court. The trial of the case is likely to take sometime for its conclusion and she is

ready to abide by all the conditions that may be imposed on her. 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 is habitual in entering into agreement for sale of land and cheating the other parties to the agreement. Hence, the applicant is not entitled for bail.

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

5. According to the case of the prosecution, this applicant entered into an agreement with one of the complainants for sale of debris and received Rs.17,00,000/- in advance, but the debris was not transferred and misappropriated and no refund was made by her to the other party to the agreement. Hence, this case.

6. Taking into consideration all the material present in the case-diary and the applicant is a local resident of District Durg and the conclusion of the trial is likely to take some time for its final disposal, 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 applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum

to the satisfaction of the concerned trial Court, for her appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi