

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 844 of 2018

- Smt. Lila Devi Aiyar W/o Raghvendra Aiyar, Aged About 65 Years, R/o Jekeb Chal, Link Road, Bilaspur, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Civil Line Bilaspur Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

MCRCA No. 866 of 2018

- Smt. Anuradha Rao W/o Ramkrishn Rao, Aged About 32 Years, R/o Tikarapara, Police Station City Kotwali, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Throguh Police Station Civil Line Bilaspur, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicants – Shri Arvind Shrivastava, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-08-2018

1. As these two applications arise out of the same crime number, they are being decided by this common order.
2. It is submitted by learned counsel for the applicants that, the applicants are apprehending their arrest in connection with Crime No.33317013180576/2018 {Crime No. incomplete mentioned as 576/18 in impugned order), registered at Police Station Civil Line Bilaspur, District Bilaspur, Chhattisgarh for the offence under Section 420/34 of the IPC. It is submitted that the applicants have been falsely implicated in this case. They have no connection with the alleged crime committed. Complainant Sharda @ Shayda Khan has made totally false allegations against the applicants. Applicant Smt. Lila Devi Aiyar (applicant in MCRCA No.844/2018) is a

counselor of Sanvedana Kendra attached with Mahila Police Station Bilaspur. Applicant Smt. Anuradha Rao (applicant in MCRCA No. 866/2018) is social activist. Both of them have tried to help the complainant in this case. A totally improbable story has been brought-forth to implicate them. Both the applicants are women. Hence, it is prayed that these applicants may be benefited with grant of anticipatory bail.

3. Learned counsel for non-applicant/State opposes the applications submitting that the complainant has made clear allegations against both the applicants about making demand and receiving amount for the purposes of getting her case registered in the police station at Torwa. Hence, no case is made out for grant of anticipatory bail to these applicants.

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

5. The allegation has been made by complainant Sharda @ Shayda Khan that she was appearing for counseling in the Sanvedana Center of P.S. Torwa where she was induced by the applicants in both the applications that to get the case registered in the police station she will have to pay bribe and for that they made a demand of Rs.50,000/-. The complainant made arrangement of Rs.45,000/- and paid the same to the applicants in various installments evenafter that her case was not registered in the police station. Hence, she has lodged the FIR in this case.

6. Considered on the material present in the case diary, It appears that the applicants will have to face the trial in this case, but, for the reason that both the applicants are women, I feel inclined to grant anticipatory bail to them.

7. Consequently, Both the anticipatory bail applications are allowed. It is directed that in the event of arrest of these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer.

These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge