

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5665 of 2018

Smt. Marry Dubey W/o Late Ghanshyam Prasad Dubey, aged about 64 years
R/o Shivaji Park, Vidhansabha Road, Raipur (C.G.) Mob. 9039888146

--- Applicant

Versus

State of Chhattisgarh, Through the Police Station- Vidhansabha, Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. N. Naha Roy, Advocate
For Respondent	:	Mr. Anil Pandey, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20/09/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 43/2018 registered at Police Station- Vidhansabha, Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471/34 of the IPC.
2. As per prosecution story, complainant- Bhupendra Kumar Verma filed a complaint alleging therein that the applicant and her son namely Chiranjeev Dubey committed fraud with him by taking Rs. 5 lakhs on assurance to provide him appointment in Mantralaya and subsequently on getting unsuccessful to do so, the applicant assured him in writing for returning the said money, which she failed to comply. On the basis of the said report, offence has been registered and the applicant has been taken into custody on 04/02/2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present

case. He further submits that the act of cheating was done by the son of the present applicant. There is no evidence on record on the basis of which any offence is made out against the present applicant. He further submits that the applicant is a lady, retired from govt. service, charge-sheet has been filed, trial will likely to take some and she is in custody since 04/02/2018, therefore, she may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is a lady aged about 64 years, retired from the govt. service and is in custody since 04/02/2018, charge-sheet has already been filed, and trial will likely to take some, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge