

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1185 of 2018

- Smt. Farhat Singh W/o Satyendra Singh Aged About 38 Years R/o House No. L-5, Ward No. 18, Vidya Nagar Vyapar Vihar Road, Bilaspur, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant : Mr. Ganesh Ram Burman, Advocate.

For Respondent/State : Mr. Ashish Shukla, Govt. Advocate.

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

05/10/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.366/2017 registered at Police Station-Mohan Durg, District – Durg(C.G.), for the offence punishable under Section 420 of the Indian Penal Code .
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case only on the statement given by one co-accused Bindu Singh whereas Bindu Singh herself has been benefited with grant of anticipatory bail in MCRC(A) No.802 of 2017 vide order dated 6.12.2017. No case is made out against the applicant

according to the material present in the case diary. Hence, it is prayed that she may be enlarged on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the statement given by Bindu Singh, this applicant had been one of the perpetrator of the fraudulent scheme and she has received benefits from the same. There may be requirement of custodial interrogation of this applicant in the investigation, hence, the application be rejected.
4. Heard the parties and perused the case diary.
5. Complainant Pankaj Tamrakar filed a written complaint in the police-station alleging, that co-accused Anil Joseph was running a Gold Prize Scheme and making collections promising to make draws for declaration of prize. After collection of about Rs.1,17,000/- the accused persons did not make any draw and nor distributed any prizes to the contributors of this scheme. The name of this applicant has appeared in the statement of one co-accused Bindu Singh.
6. After Considering on entire material present in the case diary and also considering this fact that similarly placed co-accused person has been benefited with grant of anticipatory bail, for this reason, I am of this view that this is a fit case where applicant should be released on anticipatory bail .
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the

following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha