

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1204 of 2018

- Kanchan Gupta widow of Late Pannalal Gupta, Aged About 66 Years, R/o- Village Bhandi, P.S. And Tahsil- Baikunthpur, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Baikunthpur, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Sheikh Gulam Wasim, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-10-2018

1. Apprehending arrest in connection with Crime No.132/2018, registered at Police Station – Baikunthpur, District- Korea, Chhattisgarh for offence punishable under Section 420 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant has been falsely implicated in this case, the applicant is 66 years old woman and no case is made out against her according to the material present in the case diary. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is a clear case of cheating and fraud against the applicant, hence, she is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. The allegation against the applicant is this, that, she on the basis of fake order purported to be passed by the SDO(Revenue), Baikunthpur made use of the same to dig a borewell on her own agricultural land, which was revealed in

the inspection made by Naib Tahsildar, Baikunthpur. Hence, on that basis the FIR has been lodged against her.

6. After considering on the entire material present in the case diary and also considering this fact that the applicant is a 66 years old woman, I am of this view that this applicant should be benefited with grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. 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 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. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge