

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8289 of 2018

Ku. Deepa Nigam, D/o. S.K. Nigam, Aged About 31 Years, R/o. C/1997,
 Rajajipuram, Lucknow (U.P.)

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station-
 Tarbahar, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant	-	Shri Rohit Sharma, Advocate.
For Respondent/State	-	Shri D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/11/2018

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.112/2014 registered at Police Station- Tarbahar, Bilaspur (C.G.) for the offence punishable under Sections 406, 420, 34 of Indian Penal Code. The first bail application was dismissed on 14.07.2016 in MCRC No.3626/2016.
2. As per the prosecution case, a report was made by one Abhishek Dubey that he was asked by one Manish Nigam who was running one Renatuss Credit Cooperative Society Limited and was President of Mahima Trade Centre to deposit Rs.18 lakhs in the fixed deposit so that amount would be paid with high rate of interest after six months. Accordingly, Rs.18 lakhs was deposited and post dated cheque of Rs.18,76,000/- were given to the complainant. Subsequently, when date of maturity came on 04/04/2014 it was revealed that said Cooperative Society and Trade Centre have been closed and the applicant who is also Vice President they have fled away.

3. Learned counsel for the applicant submits that the applicant being a lady only was for some time in the company, however, predominantly presses the application on the ground that applicant being a lady is in jail since 15.10.2015 and she is suffering with disease Chronic Auto Immune Urticaria rare disease wherein specialist treatment are required. He further submits that on the said ground, the applicant has been enlarged on bail in MCRC No.3357/2018 on 02.08.2018, therefore, she may be released on bail.
4. Learned State counsel is not able to dispute the fact that the applicant is enlarged on bail in MCRC No.3357/2018 on the ground of disease.
5. Perused the case diary and the order dated 02.08.2018 passed in MCRC No.3357/2018. Considering the nature of the case and the fact that the applicant has already been enlarged on bail on the medical ground in another crime and further taking into fact that the applicant is a lady and she is in jail since 15.10.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
JUDGE