

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9103 of 2018

- Ku. Heena Hirani D/o Ghanshyam Hirani Aged About 38 Years R/o Mamta Nagar, House Of Satyendra Agrawal, Police Station- Rajnandgaon, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Bhilai Nagar, Civil And Revenue District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate.

For Respondent : Mr. Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/12/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.69/2017 registered at Police Station– Bhilai Nagar, District– Durg(C.G.) for the offence punishable under Sections 420, 406, 409, 120-B & 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. She is in jail since 12.2.2017. No case is made out against her. Similarly placed co-

accused Smt. Meena Saudagar has been granted regular bail by this Court in MCRC No. 2611 of 2018 vide order dated 17.5.2018. Hence, it is prayed that this applicant may also be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. FIR has been lodged alleging that this applicant along with the co-accused person entered into an agreement with the complainant Shatrughan Swarnkar for sale of land belonging to him in the year 2010-11, for which, sale consideration amount of Rs.28 lakhs was to be paid to him. It was assured by this applicant and the co-accused person that after the sale the consideration amount will be paid. Subsequently the land was sold out but the complainant was not paid the consideration amount. Hence, this case.
6. Considered on the entire material present in the case diary, as the investigation is now complete and similarly placed co-accused person has been granted regular bail by this Court, for these reasons, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her 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/-

(Rajendra Chandra Singh Samant)

Judge