

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 700 of 2019

- Smt. Hemlata Jain W/o Goutamchand Jain(Nahta), Aged About 57 Years R/o Ganjpara, Balod, Police Station, Tahsil And District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station- Balod, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Respondent

For Applicant : Mr. Malay Shrivastava, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

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

15/05/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.159/2019 registered at Police Station-Balod, District-Balod(C.G.), for the offence punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant. Applicant is proprietor of Arihant Mobile & Computer a concern engaged in supply of stationary and other articles. It is a case in which only a bill was raised by the applicants concern and which has not been cleared for payment, therefore, there is no case of taking any

benefit of the situation on the part of this applicant, hence, it is prayed that she may be granted anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the FIR lodged, it is alleged that co-accused Narendra Dewangan, who is Deputy Director in Social Welfare Department raised a bill for payment of stationary items of Rs.1,98,878/-. On verifying the stock, it was found that the supply was not made. Hence, this case.
6. If the prosecution case is to be believed, it is a case of raising bill without supply of the articles, which could have been rejected by the concerned authority, therefore, after due consideration, I feel inclined to allow the application to this applicant.
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