

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4616 of 2019

Smt. Kaushalya Bharti, W/o. Raju @ Santosh Nai, Aged About 44 Years, R/o Naya Dhaba Rajnandgaon, P.S. Lalbagh, Tahsil and District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Kotwali, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. Aditya Bhardwaj, Advocate
For Respondent/State	: Mr. Devendra Pratap Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/08/2019

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.649/2017, registered at Police Station – Kotwali, District – Rajnandgaon (C.G.) for the offence punishable under Section 419, 420/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 28.03.2019. No case is made out against this applicant regarding commission of offence. This FIR is belated by almost 12 years. Further the charge-sheet in this case has been filed and the trial

is likely to take sometime. Therefore, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. According to the prosecution case, one sale deed was executed on 01.01.2005 in which this applicant impersonated as Gulpa Bai to execute the sale deed in a fraudulent manner regarding which FIR was lodged on 15.11.2017. Hence, this case.
5. Considered on the submissions made and the contents of the case diary. After considering that the case is now pending for trial and there is no requirement of continuous detention of the applicant for the same, therefore, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that applicant shall be released on bail on her furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge