

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1271 of 2019

Smt. Uma Kashyap W/o Rajendra Kumar Kashyap, aged about 44 years R/o Village Baloudi, Police Station Palari, District Baloda Bazar-Bhatapara (C.G.)

---- Applicant

Versus

State of Chhattisgarh through Police Station Bilaigarh, District Baloda Bazar-Bhatapara (C.G.)

---- Respondent

For Applicant	:	Mr. Pragalbha Sharma, Advocate
For Respondent	:	Mr. Anand Verma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

18/10/2019

1. The Applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 209/2019 registered at police station Bilaigarh, District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. In this case there are total five accused persons. On 27/06/2019, one Kiran Sahu lodged a written report alleging therein that the Applicant along with co-accused persons, on the false pretext of cultivating alovera, had taken villagers to Bank and got sanctioned money on the name of villagers, which has been kept by the Applicant and co-accused persons after having agreement with the villagers. It is alleged that they had taken the money of around 200 investors, which is around 7-8 crores and had absconded. On the basis of the said

report, offence has been registered.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant has been falsely implicated in the present case. There is nothing on record on the basis of which it can be said that the Applicant had taken money from any of the investor or made any agreement with them. The main accused is Leela Devi and Arun Verma. Both are absconding. There is no involvement of the Applicant in crime in question, therefore, he prays that the Applicant may be granted benefit of anticipatory bail.
4. On the other hand, learned counsel appearing on behalf of the State opposed the bail application and submits that according to the material contained in the case diary, prima-facie the case lodged against the Applicant is made out and therefore, his bail application may be rejected.
5. I have heard counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case and the submission put forth by the counsel for the parties, without further commenting on merit of the case, I am inclined to grant the benefit of anticipatory bail in favour of the Applicant.
7. Accordingly, this bail application is allowed.
8. It is directed that in the event of arrest, the Applicant shall be released on bail on her furnishing a bond in the sum of Rs.20,000/- with one surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:
 - i. That, the accused/Applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/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. The accused/Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

iv. The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul