

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8217 of 2018

- Chandramaniya W/o Ganga Ram Aged About 35 Years R/o Village K. P. P. S. Dhourpur Tahsil Dhourpur, District Surguja Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ambikapur District Surguja Chhattisgarh

---- Respondent

For Applicant : Mr. AN Pandey, Advocate.
For Respondent/State : Mr. UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/01/2019

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 341/2018, registered at Police Station – Ambikapur, District- Surguja (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 120 (B) 192 & 193 of the IPC.
2. First bail was dismissed as withdrawn with liberty to file a fresh after examination of some material witnesses before the Trial Court vide order dated 19.09.2018 passed in MCRC No. 5802/2018.
3. As per prosecution story, it is alleged that while furnishing the surety bond of the accused person before learned JMFC, Ambikapur (C.G.) in crime no. 132/2018 present applicant submitted the forged Rinpustika before the learned JMFC, Ambikapur (C.G.). Thereafter, the matter was reported by the Court itself. On the basis said report, offence has been registered against the present applicant and she has been taken in custody on 16.07.2018.

4. Learned Counsel appearing on behalf of the applicant submits that the applicant is innocent and she is a poor, illiterate lady. He further submits that the applicant was resided in the house of her sister in village Belsar in the year 2014 at that time Husband of her sister was promised to her that he will adopt her son and he gave her the said Rinpustika, at that time the applicant not aware that the said Rinpustika is forged. Learned Counsel for the applicant further submits that during trial the seizure witnesses namely Lakhandas and Radheshyam have already been examined before the Trial Court where they have not supported the case of the prosecution and turned hostile. The applicant is a lady, she is in custody since 16.07.2018 and trial will take some more time. Therefore, she may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that, the applicant is a lady and she is in custody since 16.07.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for her appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Shubham