

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1688 of 2018**

Savita Sao, D/o. Rupdhar Prasad Sao, Aged About 32 Years, R/o. Kelovihar Colony, Chandra Nagar, Phase-II, Chakradhar Nagar, Raigarh, District Raigarh Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Incharge Of Police Station City Kotwali, Raigarh District Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Mr. Manoj Paranjpe, Advocate
For Respondent/State	: Mr. A.N. Bhakta, P.L.
For Objector	: Mr. Krishna Tandon, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**21/01/2019**

1. Apprehending arrest in connection with Crime No.1458/2018, registered at Police Station – City Kotwali, Raigarh, District – Raigarh (C.G.) for offence punishable under Section 409 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. The applicant had already handed over the charge of office after her services were terminated by order dated 02.06.2018 to the Child Welfare Officer Manorama Singh by handing over all

the keys and material present in her possession. Subsequent to that behind the back of the applicant, almiras were broke upon and false allegation has been made against her regarding embezzlement of property and FIR has been lodged against the applicant as a counter blast to the W.P.(S) 4215/2018, filed by the applicant before this High Court, which is pending and after filing of the complaint case against the District Child Welfare Officer, before the Court of C.J.M., Raigarh. Therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that there is sufficient evidence in the investigation to make out a case of embezzlement against this applicant, therefore, the application be rejected.
4. Counsel for the objector after adopting the arguments advanced by the State submits that during the tenure of the applicant as Superintendent of Chakradhar Bal Sadan her management was objectionable as she has allowed entry of strange persons into the premises of the institution. There are statement given by the witnesses that on the date, the applicant handed over the charge, she had broke open the lock of the almiras containing jewelery and cash, which were kept in safe custody for marriage of orphan girl and has stolen them, therefore, no case is made out for grant of anticipatory bail.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.

6. Considered on the submissions and the contents of the case diary.
Considering on the entire material present in the case diary, statements have been given by the witnesses in the query made by the Chakradhar Sewa Sadan Raigarh that on the date of handing over the charge, the applicant had broke open the locks of the almiras and taken away money and jewelery kept in safe custody with her, hence, looking to such statement made against this applicant, this Court is not inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram