

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9912 of 2018**

- Smt. Sindhulata Urmal, W/o Anand Urmal, aged about 45 years, R/o Pirda, Police Station – Basna, District- Mahasamund, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through S.H.O. P.S. Janjgir, District Janjgir - Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anant Bajpai, Advocate.
For Respondent/State	: Shri K.K. Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**16/01/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 425/2018, registered at Police Station – Janjgir, District Janjgir Champa, Chhattisgarh, for the offence punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.
2. As per prosecution story, Complainant Sandeep Kumar Mishra lodged a complaint, wherein it has been stated that the present Applicant alongwith other co-accused persons namely Ganpat Ram & Tularam prepared forged documents and on the basis of the said forged documents they have obtained loan of Rs. 9,21,000/- from the bank by using the name of Smt. Champa Bai, who is mother of the Complainant Sandeep Kumar Mishra. Allegedly, at the time of sanctioning loan amount, co-accused namely Sanjay Tirkey was posted as Branch Manager of the said Bank. It is further alleged that at the time of sanctioning loan amount, accused persons produced the present Applicant in place of Champa Bai before the bank where she

was identified by co-accused namely Khel Kumar and Tularam. On the basis of the above, offence has been registered and the present Applicant has been taken into custody on 24.07.2018.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that the Applicant is an illiterate lady and other co-accused persons mis-used her name without her knowledge. Co-accused persons, who identified the present Applicant namely Ganpat Ram and Tularam, have already been granted bail by this Court vide order dated 29.11.2018 passed in MCRC No. 8565/2018 and 26.10.2018 passed in MCRC No. 6523/2018 respectively. Other co-accused persons namely Sanjay Tirkey (Branch Manager) and Ashok Dubey (Advocate), have also been granted anticipatory bail vide order dated 12.12.2018, passed in MCRCA No. 1587/2018 and MCRCA No. 1611/2018 respectively. The present Applicant is in custody since 24.07.2018 and trial will take time. Therefore, she may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the role played by the present Applicant and the allegations levelled against her, Applicant is in custody since 24.07.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed.
8. 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 concerned Trial Court for her

appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash