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HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1722 of 2018

Smt. Geeta Sahu, W/o. Late Purushottam Sahu, Aged About 53 Years, Clerk, Sub- Division No.6, Irrigation Department, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : The Police Station City Kotwali, Balodabazar Chhattisgarh.

---- Respondent

For Applicant : Ms. Supriya Upasane, Advocate

For Respondent/State : Mr. A.N. Bhakta, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/01/2019

1. Apprehending arrest in connection with Crime No.384/2013, registered at Police Station – City Kotwali, Balodabazar, District – Balodabazar – Bhatapara (C.G.) for offence punishable under Section 420 & 120-B 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 main allegation is against C.P. Verma, who has received the amount from the complainant and others for getting appointment of their siblings and there is no evidence present that the present applicant is the person who has received the same.

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.

4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.

5. According to the prosecution case, the applicant and her husband Purshottam Sahu gave inducement to the complainant and others that co-accused C.P. Verma is the person who can get the siblings of the persons appointed in service in railway because of which, the complainant and others paid Rs.60,75,000/- to C.P. Verma in the house of the applicant. Hence, this case.

6. Considered the submissions and the contents of the case diary. On the basis of the statement given by the witnesses, it appears that this applicant was not the recipient of the amount paid by the complainant and others, hence for this reason this Court is 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 allowed.

8. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

(i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;

(ii) that the 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) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram