

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8037 of 2019

Smt. Vandana Balasaheb Bhapkar W/o Shri Balasaheb Bhapkar,
Aged About 54 Years R/o CTS No. 1175, Bhakti Paradise Building
No. 3, Link Road, Flat No. 14, P.O. And P.S. Chinchvad, Tahsil
Haveli, District Pune (Maharashtra), District : Pune, Maharashtra ---
Petitioner

Versus

State of Chhattisgarh through Police Station Dalli Rajhara, District
Balod Chhattisgarh, District : --- **Respondent**

For the applicant	:	Mr. Sachin Singh Rajput, Advocate.
For the State	:	Mr. Neeraj Pradhan, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.12.2019

1. This is 3rd bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 78 of 2015 registered at Police Station Dalli Rajhara, Distt. Balod, Chhattisgarh for the offences punishable under Sections 420, 34 of IPC and sections 3, 4, 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 and section 58-F of the reserve Bank of India Act, 1934.
2. The first bail application was dismissed on 07.12.2015 and the second bail application was dismissed on 13.1.2017.
3. Learned counsel for the applicant submits that the applicant is in jail since 11.09.2015 and by now she has undergone the custody period of 4 years and four months. He further submits that there are as many as 40 witnesses and out of them, statements of only two witnesses have been recorded. It is further contended that in respect of repayment of money to all the persons who invested in the Company, the

properties of petitioner as well as other directors have been attached and few of it have been disposed. He further submits that there is enormous delay in the process of trial and since the petitioner being a lady and since she has already undergone the custody period of almost four and half years, she may be released on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he do not dispute the fact that only two witnesses have been examined out of 40 persons.
 5. Considering the fact that the petitioner being a lady and is in jail since 11.09.2015 and out of 40 witnesses, only 2 witnesses have been examined and looking to her pre-trial detention as she has undergone the custody period of 4 years 4 months, without any further observation on merits of the case, I am inclined to allow this bail application.
 6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed.
- C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**