

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 650 of 2020

Ramandeep Kour W/o Late Shri Tanveer Singh, aged about 32 years, R/o
LIG-12, Tatibandh, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh through P.S.- Bodhghaat, District Jagdalpur (Bastar),
Chhattisgarh

---- Respondent

For Applicant	: Mr. Devershi Thakur, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/07/2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as she is apprehending her arrest in connection with Crime No. 37/2020, registered at Police Station: Bodhghat, Jagdalpur (Bastar) (C.G.) for the offence punishable under Section 420 of IPC.
3. According to the case of the prosecution, on 29.01.2020, complainant namely Jaya Rao, made a written report against the Applicant, alleging therein that the present Applicant by playing fraud had taken loan from different persons in the name of Tiffin Center, thereafter, she had not paid any amount of installment nor returned the money back to the lenders. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He submits that Prima Facie no case is made out because virtually, the present Applicant's mother-in-law used to run tiffin centre for which she had sanctioned the loan amount in the name of complainant and the present Applicant used to work in that centre after her husband's death. He further submits that there is no material evidence available in record from which involvement of the present Applicant is established, therefore, it is prayed that the Applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case and arguments adduced by counsel for the parties, particularly considering that the loan amount was sanctioned in the name of complainant and there is no directed evidence available against the present Applicant, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made herself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. 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.

Sd/-

(Arvind Singh Chandel)
Judge