

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4430 of 2020

- Smt. Upasna Tiwari W/o Shri Bhola Prasad, Aged About 35 Years R/o M.I.G.- 105, In Front Of New Bus Stand, Deendayal Upadhaya Complex, Durg, District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Saja, District Bemetara Chhattisgarh

---- Respondent

For Applicant	: Ms. Sharmila Singhai, Advocate
For Respondent/State	: Shri H.S.Ahluwalia, Dy.AG

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/08/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is in custody in connection with Crime No. 155/2020 registered at police station Saja, district Bemetara (CG) for the offence punishable under Sections 420, 468 and 471/34 IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicant has sought appointment of Assistant Teacher at Government Primary School on the basis of forged documents.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. She submits that the applicant is in jail

since 02.07.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release her on regular bail. Accordingly, her application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, she shall be released on bail.

It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnishing in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re: Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks' from today.

Sd/-
(Rajani Dubey)
Judge