

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4658 of 2020

- Smt. Lochan, W/o. Arvind Sahu, Aged about 33 years, Occupation Service, R/o. Village Andhiyarkhor, PHN 15, Tehsil Nawagarh, Bemetara CG

Permanent resident of House No. 67, Vrindavan Krishna Vihar Colony, Bemetara, district Bemetara (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- ACB Raipur, district Raipur Chhattisgarh.

---- Respondent

For Applicant	: Ms. Sharmila Singhai, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

04/08/2020

Heard on admission.

Admit.

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.24/2020 registered at police station ACB Raipur, District Raipur (CG) for the offence punishable under Section 7 of the Prevention of Corruption Act.

As per prosecution case, report was lodged by the complainant alleging that the applicant has demanded bribe of Rs. 2800/- from him for mutation of his name and the family members in the revenue records.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. She submits that the applicant is a lady and is suffering from some gynec problem. She further submits that the applicant is in jail since 07.07.2020 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. He submits that the case diary is not available with him today.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation against 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), she 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 she has not furnished the bail bonds earlier, then she will be required to furnish bail bonds within four weeks' from today.

Sd/-
(Rajani Dubey)
Judge

suguna