

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5351 of 2020**

- Smt. Rashida Begum Moshlim Houladar @ Rakhi Das W/o Vimal Kumar Das about 29 years R/o Purbo Senpara Daulatpur Khuna Post/District-Daulatpur, Bangladesh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through- Police Station- Supela, Bhilai, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rajendra Kumar Patel, Adv.
For Respondent/State	: Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/09/2020**

1. The matter is heard through video conferencing.
2. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 359/2020 registered at Police Station-Supela, District - Durg (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 34 of the IPC and Section 14 of Videshi Vishayak Adhiniyam 1946.
3. The prosecution story, in brief is that, the applicant is from Bangladesh, she lived in India from 2016 and marry with Vimal Das after marriage she lived with her husband in District-Durg without the knowledge of Indian Government and also not apply for the Indian Citizenship as well as she made Aadhar card and Rashan Card also and open bank account on the basis of documents. After investigation P.S. Supela District-Durg lodged F.I.R. against the applicant and other co-accused person.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is a 29 years aged lady and she is in jail since 15.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the present applicant is serious, in nature, therefore, no case is made out for grant of bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 15.06.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
8. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court, the applicant shall be released on bail, subject to following conditions :
 - That, the applicant shall furnish a specific, undertaking that while on bail, he will not commit any offence, otherwise bail granted to her shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - That, the accused/applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required and 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.

- That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
- That, the accused/applicant shall not leave India without previous permission of the Court.

**Sd/-
(Rajani Dubey)
Judge**