

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6273 of 2019

- Saraswati Mahant W/o Anish Kumar Mahant, Aged About 27 Years, R/o Village Dehjari, Tahsil and P.S. Kharisya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, P.S. Kharisya, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Manoj Kumar Jaiswal, Advocate.

For Non-applicant/State – Shri D.P. Singh, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

20-01-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. Her earlier bail application before this Court, MCRC No.4715/2019 was dismissed as withdrawn on 08-08-2019 and liberty was granted to file revive the application after filing of charge sheet. The applicant has been arrested on 01-07-2019 in connection with Crime No.287/2019 registered at P.S. - Kharsiya, District Raigarh, Chhattisgarh for the offence under Section 420/34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She has simply worked under the instructions of the main accused Janak Ram Patel who has been granted regular bail by the coordinate Bench of this Court. Apart from that, charge sheet has been filed. Therefore, it is prayed that the applicant may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting all the illegal transactions were made by this applicant and the cheques drawn were deposited in the account of mother of this applicant,

which shows her direct involvement, therefore, she is not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.

5. According to the prosecution case, it is alleged that this applicant and the Manager of the Samiti, co-accused Janak Ram Patel connived to make illegal purchase of the paddy in the paddy purchase center, for which the cheques were issued in the name of mother of this applicant which were deposited in her account and the defalcation was committed causing huge loss to the Government.

5. Considering that the charge sheet has been filed and similarly placed co-accused has been granted bail by coordinate Bench, I feel inclined to allow this application.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge