

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7780 of 2019**

- Prabhawati Devi W/o Chhotu Ram, aged about 39 years, R/o Dindayal Puram Thana, GB Nagar Tarwara, District Siwan (Bihar)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Kotra Road, District Raigarh (C.G.)

---- Respondent

For Applicant	:	Shri Prabhat Kumar Saxena, Advocate
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****16/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.40/2019, registered at Police Station – Kotra Road, District Raigarh (C.G.) for the offence punishable under Sections 420, 120-B, 34 IPC.
2. The prosecution story, in brief, is that complainant Pradeep Kumar Jaiswal received a call that he won a lottery on his mobile number and to get the prize amount he will have to deposit Rs.50,000/- towards income tax. The complainant deposited Rs.50,000/- in the account of applicant but he received no prize money. Based on this, offence has been registered. The present applicant has been taken into custody on 17.09.2019.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that co-accused has used the account

number of the present applicant. He also submits that one Sardar Harjit Singh was running the lottery and Moh. Saiyad had opened the account in the name of present applicant for depositing some amount. He also submits that the applicant is in custody since 17.09.2019, the charge sheet has been filed and there is no likelihood of her case being decided in near future. Therefore, she may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned counsel submits that the applicant was getting 10% commission on the deposited amount and she is actively involved in the commission of crime.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is a lady aged about 48 years, she is in custody since 17.09.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one local surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge