

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2065 of 2019

Smt. Vandana Chakravarty W/o Pravir Kumar Chakravarty, aged about 57 years,
R/o 22/3, Nehru Nagar, East, Police Station Supela, Bhilai, Tahsil And District
Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh through Police Station Berla, Tahsil Berla, District
Bemetara Chhattisgarh.

---- Respondent

For Applicant	: Mr. Manoj Paranjpe, Advocate.
For Respondent/State	: Mr. Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/03/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as she is apprehending her arrest in connection with crime no. 210/2019, registered at Police Station: Berla, District: Bemetara (C.G.) for the offence punishable under Section 420, 409 read with Section 34 of IPC.

2. As per the prosecution story, the Branch Manager Dena Bank Berla, District Bemetara has lodged the written report against 04 accused persons namely Siddharth Chintaman, Mandavkar (the then Branch Manager of Dena Bank), Rajkishore Behera (Borrower), Pravir Kumar Chakravarty (Proprietor of M/S Agrotech Solutions) and the present Applicant Vandana Chakravarty W/o Pravir Chakarvarty (Proprietor of M/s Agrotech Solutions). The F.I.R. was lodged inter-alia on the allegations that Rajkishore Behra has applied for grant of loan for construction of poly house on the land belonging to his uncle G. Bhaskar Dakua. It was alleged that G. Bhaskar Dakua was owner of the land and he had executed the power of attorney in favour of Rajkishore Behera. At the time of grant of loan, the co-accused Siddharth Chintaman Mandavkar was the

Branch Manager. The proposed land was surveyed by the bank officer and was valued to the tune of Rs.97 Lakhs. After following the due process the loan to the tune of Rs.73.89 Lakhs was deposited in the loan account of borrower on 29.03.2017. It is further alleged that the husband of the Applicant and the Applicant herein to whom the borrower has awarded the contract have misappropriated the amount of Rs.21 Lakhs. It was further alleged that neither the poly house was constructed nor the amount was refunded to the bank and the entire amount of Rs.21 Lakhs have been misappropriated with the conspiracy between the borrower and the present Applicant and his partner that is her husband. On the basis of said, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He submits though virtually on record the present Applicant is one of the partner of M/s Agrotech Solutions but she is one of the silent partner of that firm and her husband was the main proprietor of that firm and the main allegations are against the husband and other co-accused persons. The present Applicant has no involvement in the said crime-in-question therefore, he prays for grant of anticipatory bail to the Applicant.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case and particularly considering the fact that the main allegations are against the husband and other co-accused person, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant of anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:-

- I. That the accused/applicant shall made herself available for interrogation before the concerned Investigating Officer as and when required;
- II. 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 her from disclosing such facts to the Court or to any police officer;
- III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge