

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 270 of 2021**

- Sent Benth Mukti Lakda W/o Eliyazer Lakda, aged about 48 years, R/o Ward No.32, New Minors Quarter Godaripara, Police Station Chirmiri, Tahsil – Chirmiri, District Korla (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh – Through : Station House Officer, Police Station Chirmiri, District Korla (C.G.)

---- Respondent

For Applicant : Mr. Shubham Tripathi, Advocate.
For Respondent. : Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/06/2021**

Proceeding through video conferencing.

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending her arrest in connection with Crime Number 375/2020 registered at Police Station – Chirmiri, District Korla (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. The prosecution case, in brief, is that complainant Praveen Chandan Kujur lodged a report at police station Chirmiri alleging therein that the applicant fraudulently obtained Rs.2,65,000/- from him, Rs. 15,000/- from Sarvesmin, Rs.2,00,000/- from Sanjay Tigga on the pretext of providing job in Railway. Based on this, offence has been registered against the applicant.

3. 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 there is delay of about eight years in lodging the FIR and no plausible explanation has been offered in this regard. He also submits that the prosecution has not collected any incriminating material to show the involvement of the present applicant. Therefore, she may be granted anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail.
5. I have heard learned counsel for the parties and perused the record.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, nature of offence and further considering the fact that there is delay of eight years in lodging the FIR, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
7. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, she shall be released on bail on her furnishing a personal bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make herself available for interrogation/medical examination before the concerned investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person

acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge

pkd