

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 308 of 2021**

- Surajmani Bhagat D/o late Sukhram Bhagat, aged about 33 years, Caste Uraon, resident of village Tempu, Post – Kesra, Police Station Manora, District Jashpur (C.G.)

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Mr. Sanjeev Kumar Sahu, Advocate.
For Respondent.	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/06/2021**

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 03/2021 registered at Police Station – Asta, District Jashpur (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. The prosecution case, in brief, is that the applicant and other co-accused person namely Rajendra Singh helped different women self help groups in obtaining loan from Spandana Company and Bharat Finance Company. When the loan amount was deposited in the bank account, an amount of Rs.20,000/- - 25,000/- was taken from the woman/complainants on the pretext of investing the same in

the company styled as 'One Click Shop' and assurance was given by the applicant and co-accused that the installments of the same would be paid by them. The allegation against the present applicant and co-accused is that they stopped paying the installments of the concerned bank and the bankers started harassing the complainants for loan payment, thereby the applicant committed fraud with them. 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 the applicant is Aanganbadi worker. She was forcefully detained by the complainants and an affidavit was executed from the applicant and co-accused, the complaint of which was made before the Police Commissioner, Surguja Division, Ambikapur but no action was taken on the said complaint so far. He also submits that it has nowhere mentioned in the FIR that on which date and how much amount has been obtained by the applicant. The applicant has only got the shopping for beneficiary women upto Rs. 3000/-, apart from this no work was done by her. Therefore, she may be granted anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail. Learned State counsel submits that as many as 34 innocent tribal woman have made complaint against the present applicant and co-accused, and according to the documents, total Rs.12,00,000/- is reported to be embezzled. Therefore, looking to the huge amount and

gravity of offence, bail may not be granted to the applicant.

5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, in particular the gravity of offence and quality of evidence, I am not inclined to release the applicant on anticipatory bail.
7. Accordingly, the application is rejected.

Sd/-

(Rajani Dubey)
Judge

pkd