

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 371 of 2021

- Smt. Sarita Gonde W/o Suresh Gonde Aged About 35 Years R/o Ward No. 15, Chouhan Para Police Station Sarangarh, Tehsil Sarangarh, District Raigarh Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sarangarh, District Raigarh Chhattisgarh.,

---- Respondent

For Applicant	–	Mr. Ashutosh Shukla, Advocate
For State	-	Mr. Siddharth Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.07.2021

1. Apprehending arrest in connection with Crime No. 60/2021 registered in Police Station Sarangarh Distt. Raigarh (C.G.) for offence punishable under Sections 420, 467, 468, 469, 471 of Indian Penal Code, the applicant has preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail.
2. As per the prosecution case, the applicant applied for certain loan of Rs.20 Lakhs under the Government Antyodaya Scheme for which she was directed to deposit the margin money of Rs.5,30,000/-, accordingly the margin money was deposited in the instalment. Subsequently, the loan was not sanctioned and when the applicant wanted back the amount, the FIR has been lodged that the forged receipts were prepared by the applicant whereby actual amount has not been deposited by her.
3. Learned counsel for the applicant submits that the applicant way back on 06.12.2020 made a complaint to the SDO that when the loan is not sanctioned, the margin money may be returned and subsequent report was also made to the

Collector on 02.11.2020. Thereafter, when the margin money was not returned and Bank was asked to pay, the false report was made by the Manager Amrit Ekka and the Field Officer Bhupendra Dewangan that the applicant has prepared the false receipts. He refers to the Annexures and submits that the SBI instant has asked the applicant to come and receive the amount of margin money.

4. Learned State counsel opposes the prayer for grant of bail.

6. Taking into consideration the nature of allegation and the letter of the SBI which is placed herein with this anticipatory bail application wherein the applicant has been asked to take back the amount of Rs.5,30,000/-, so prima facie deposits appears to have been made by the applicant. Considering the other documentary evidence, the custodial interrogation may not be required. Also taking into fact that the applicant is a lady, it is directed that in the event of arrest, this Court is inclined to release the applicant on bail. Accordingly, this application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting her on furnishing a personal bond to a sum of Rs. 25,000/- with one surety each in the like sum to the satisfaction of the concerned investigating officer. The applicant shall also abide by the following conditions:

- (i) that the applicant shall make herself available for interrogation before the 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 so 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/-

(Goutam Bhaduri)

Judge