

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6360 of 2021**

- Madhu Sahu, W/o Late Bhishm Lal Sahu, aged about 27 Years, R/o Ward No. 11, Vikas Nagar, Chakarbhata, Bilaspur, District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station City Kotwali, District Bilaspur, Chhattisgarh.

----Non-applicant

For Applicant	Shri Gary Mukhopadhyay with Shri Ravindra Sharma, Advocates.
For State	Shri Rahim Ubwani, Panel Lawyer.
For Objector	Shri Ratnesh Kumar Agrawal, Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****21/09/2021**

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as she has been arrested in connection with Crime No.147/2021 registered at Police Station City Kotwali, Bilaspur, C.G. for the offence punishable under Section 420 read with 34 of Indian Penal Code.
2. Allegation against the present applicant is that she along with her brother Srikant Sahu gave wrong information to the Bank officials and withdrew a sum of Rs.5,00,000/- from Punjab National Bank and Rs.5,30,000/- from Bank of India by making forged

signatures of the deceased- Bhishm Lal Sahu (applicant's husband).

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. It is submitted that applicant has not played any role in alleged offence. Applicant is languishing in jail since 10.08.2021, charge sheet has already been filed and due to COVID-19 pandemic conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
4. On the other hand, learned counsel for the State as well as the Objector oppose the bail application. However, counsel for the State submits that applicant has no criminal antecedents.
5. Heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, the nature of allegation made against the applicant, further considering the fact that after the death of her husband applicant withdrew the aforesaid amount, the detention period of the applicant, who is 27 years old, charge sheet has already been filed, the fact that the applicant has no criminal antecedents and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application

is allowed. It is directed that in the event of applicant executing a personal bond in the sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, she shall be released on bail on the following conditions:-

- (i) she 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 from disclosing such fact to the Court,
- (ii) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- (iv) she shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) she shall not involve herself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving herself in any offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh