

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1389 of 2020**

1. Renu Dubey W/o Ritesh Dubey Aged About 25 Years R/o Village - Dhamni, Police Station - Chakarbhanta, Tehsil And District - Bilaspur Chhattisgarh.
2. Gourav Rajak S/o Shri Bihari Rajak Aged About 23 Years R/o Ward No. 28, Near Santoshi Mandir, Katiyapara, Police Station - City Kotwali, Bilaspur (Chhattisgarh)

**---- Petitioner****Versus**

- State Of Chhattisgarh Through - District Magistrate, Janjgir, Police Station - Mulmula, District - Janjgir-Champa (Chhattisgarh)

**---- Respondent**


---

|                      |                                     |
|----------------------|-------------------------------------|
| For Applicants       | Ms. Upasna Mehta, Advocate          |
| For Respondent/State | Mr. Alok Nigam, Government Advocate |
| For Objector         | Ms. Meera Ansari, Advocate          |

---

**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****7/1/2021**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.212/2020 registered at Police Station Mulmula, District Janjgir-Champa for the offence punishable under

Sections 420, 34 of the IPC.

3. Applicant No.1 Renu Dubey along with co-accused Ritesh Dubey and applicant No.2 Gourav Rajak, have obtained payment of Rs.7,50,000/- from the complainant promising him to provide employment.
4. Learned counsel for the applicants submits that applicant No.2 Gourav Rajak has already been arrested on 15.10.2020, therefore, his application under Section 438 of Cr.P.C. has rendered infructuous.
5. Accordingly, the bail application filed on behalf of **applicant No.2 Gourav Rajak** is **dismissed** as having rendered infructuous.
6. The bail application is now considered on merits on behalf of applicant No.1 Renu Dubey.
7. Applicant No.1 Renu Dubey is carrying 28 weeks pregnancy as on 29.12.2020 as per the OPD record of the District Hospital, Bilaspur, filed as an additional document along with the covering memo dated 4.1.2021.
8. In the document earlier filed as Annexure A-2, the corrected expected date of delivery of applicant No.1 is mentioned as 24.2.2021.
9. Considering the pregnancy of applicant No.1, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to applicant No.1 Renu Dubey.

10. Accordingly, the application filed on behalf of **applicant No.1**

**Renu Dubey** is **allowed** and it is directed that in the event of arrest of her arrest, she shall be released on anticipatory bail on her furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions :-

- (i) she shall make themselves available for interrogation by a Police Officer as and when required;
- (ii) 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 for disclosing such facts to the Court or to any Police Officer.
- (iii) she shall not influence the witnesses during pendency of the trial.

Certified copy as per rules.

**Sd/-**

**(Prashant Kumar Mishra)**

Judge

Shyna