

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through video conferencing****Order Reserved on 25.06.2021****Order Delivered on 14 .07.2021****MCRCA No. 1560 of 2020**

- Smt. Yasmin Fatima Shafikur Rahman W/o Shafikur Rahman Sheikh Aged About 51 Years R/o B-1204, Atlantic Sea, City Complex, V.P. Road, Distt. Mumbai (Maharashtra).

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station, Jamul, District Durg (Chhattisgarh)

---- Respondent

For Applicant	-	Shri Pragalbh Sharma, Advocate.
For Respondent/State	-	Shri Chandresh Shrivastava, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice**C A V Order**

1. Heard.
2. The applicant has preferred the first bail application for grant of anticipatory bail, as she apprehends her arrest in connection with Crime No.89/2020, registered at Police Station- Jamul, District: Durg (C.G.) for the offence

punishable under Sections 420, 409 & 34 of the Indian Penal Code.

3. As per the written complaint lodged by the complainant B.L. Porawal, accused Shafikur Rahman, Mohammad Kamruddin Sheikh, present applicant Yasmin Fatima Shafikur and Sangram Mahendra Singh have purchased chemical products through GST invoice during the period 12-04-2018 to 20-09-2018, however, they have failed to pay the price of goods amounting to Rs.1,17,23,317/-. The accused persons have issued cheques towards payment of the amount, however, subsequently, the accused persons issued stop payment instructions to their banker. In his statement under Section 161 of Cr.P.C., the complainant has stated that goods worth Rs.3,13,37,723/- were supplied against which the accused persons made payment of Rs.1,96,14,406/- however, the balance amount of Rs. 1,17,23,317/- has not been paid.
4. Learned State counsel would oppose the prayer for grant of anticipatory bail.
5. Although, the amount involved is huge, but considering the statement of the complainant under Section 161 of Cr.P.C., it appears to be a civil transaction. The issue pertains to non-payment of the price of goods supplied to the accused persons.
6. Considering the entire facts situation of the case, I am inclined to release the applicant on anticipatory bail.

7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, she shall be released on anticipatory bail on her executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- she shall make herself available for interrogation by a police officer as and when required;
- 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 her from disclosing such facts to the Court or to any police officer.
- she shall not influence the witnesses during pendency of the trial.

SD/-
(Prashant Kumar Mishra)
Acting Chief Justice

Gowri