

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7875 of 2020**

- Asha Beck W/o Vijay Lakra Age 42 Years R/o Village Shantipara P.S. And Tehsil Batouli District Surguja Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer P.S. Sitapur District Surguja Chhattisgarh

---- Respondent

For Applicant
For Respondent /State
For Objector

Mr. Nishi Kant Sinha, Advocate
Ms. Shivali Dubey, Panel Lawyer
Mr. Anshul Tiwari, Advocate on behalf
of Ms. Priyanka Mehta, Advocate

SB: Hon'bel Mr. Justice Prashant Kumar Mishra**Order On Board****28/1/2021**

1. Heard.

2. This is an application filed under Section 439 of the Code of

Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.13/2018 registered at Police Station Sitapur, District Surguja (CG) for the offence punishable under Sections 420, 34, 467, 468, 471, 120 B, 419 of the IPC.

3. The applicant purchased the land belonging to complainant Mirinda Mathilda Tirkey by way of sale-deed dated 27.4.2015 executed by her own mother Philomina by impersonating the complainant. In the said transaction, co-accused Mithlesh Ekka and Vijay Lakra stood witnesses and identified co-accused Philomina as Mirinda Mathilda Tirkey.
4. Admittedly, co-accused Mithlesh Ekka and Vijay Lakra have been released on regular bail by a Coordinate Bench of this Court vide common order dated 29.9.2020 passed in MCRC Nos.5470/2020 and 5955/2020 respectively. It is informed that co-accused Philomina has also been released on regular bail by the Sessions Court.
5. Learned counsel for the State as well as learned counsel for the Objector would oppose the prayer for grant of bail on submission that the applicant is the beneficiary of the said sale-deed.
6. Considering that the applicant is a lady aged about 42 years and she is the recipient of the property and not the executant of the sale-deed and moreover, she is in jail since 14.7.2020 and the offences are triable by the Judicial Magistrate First Class, this Court is inclined to release the applicant on regular bail.

7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given by the said Court.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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