

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC A No. 1639 of 2020

1. Khuboo Singh Alias Rakhi Dhruv D/o Shri J.K. Singh Aged About 40 Years R/o Navrang Kala Niketan, Near High School Patora, Thana Utai, District Durg Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Utai, District Durg Chhattisgarh

---- Respondent

MCRC A No. 1693 of 2020

1. Smt. Shobha Sahu W/o Shri Mahendra Sahu, Aged About 39 Years R/o Behind Dr. S.K. Chandrakar Medical, Bhilai-3, Police Station Purani Bhilai, District Durg Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through - Station House Officer Police Station - Utai, District - Durg Chhattisgarh.

---- Respondent

MCRC A No. 1714 of 2020

1. Smt. Poonam Nayak W/o Abhinandan Nayak Aged About 40 Years R/o Nearby Hanuman Mandir, Raipur, Tahsil And District Raipur (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station- Utai, District- Durg (Chhattisgarh)

----- Respondent

For Applicants	Mr. T.K. Jha, Advocate
For Respondent /State	Mr. Ayaz Naved, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

4/2/2021

1. Since all the bail applications are arising out of same crime number i.e. 330/2020 they are being considered and decided by this common order.
2. The applicants have preferred these first bail applications for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.330/2020, registered at Police Station Utai, District Durg (CG), for offence punishable under Section 420/34 of the Indian Penal Code.
3. Applicants Khuboo Singh alias Rakhi Dhruv & Smt. Shobha Sahu are the teachers whereas the applicant Smt. Poonam Nayak is the Principal of Chhattisgarh Navrang Kala Nitketan, Patora, District Durg. They have allegedly obtained an amount of Rs.4,30,000/- from the complainant Anil Sahu assuring him to arrange employment for himself. It is also alleged that when Anil Sahu started pressurizing the applicants to return the amount these applicants handed over to him a cheque issued by one Daya Das Sahu, who, in turn, was defrauded by the applicants as the said cheque was obtained by the applicants by assuring Daya Das Sahu that they will arrange recognition of his institution from Indira Kala Sangeet Vishwavidyalaya [IKSV], Khairagarh.

4. Learned counsel for the applicants would refer to the documents filed along with the bail application particularly Annexure – A/3 to submit that the applicants have obtained financial assistance from the complainant for some construction in the school which they had returned in cash. The complainant was demanding inflated amount in excess to what was given to the applicants, which the applicants did not satisfy, therefore, the present false complaint has been lodged.
5. Per contra, learned counsel for the State would oppose the bail applications.
6. Considering the nature of dispute/transaction between the parties and for the fact that all the applicants are ladies, aged about 40 years, and the offence is otherwise triable by the JMFC, as also for the fact that custodial interrogation of the applicants does not seem to be necessary in the facts and circumstances of the case, this Court is inclined to release the applicants on anticipatory bail.
7. Accordingly, all the applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them 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:-
 - they shall make themselves available for interrogation by a police officer as and when required;

- they 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 facts to the Court or to any police officer.
- they shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri