

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9041 of 2020**

- Pinki Sharma, aged about 35 Years, W/o Nandu Sharma, R/o Nandani Colony, Cheruapada, Mudipara, Sambalpur Odisha.

----Applicant**Versus**

- State of Chhattisgarh, Through Police Station Singhoda, Distt. Mahasamund Chhattisgarh.

---- Respondent

For Applicant
For State

Mr. Parag Kotecha, Advocate.
Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

13/01/2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of bail as she has been arrested in connection with crime No. 69/2020 registered at Police Station – Singhoda, District Mahasamund, C.G. for the offence punishable under Sections 420, 467, 468, 471 of Indian Penal Code.
2. Allegation against the present applicant is that she is the owner of truck bearing registration No.OR-15-S-8025 and her driver was allegedly found using forged transport tax receipt for crossing Chhattisgarh-Odisha border.
3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He

submits that the applicant is in jail since 24.11.2020, charge sheet has already been filed, nothing is required to be seized from the applicant and more so, the similarly situated co-accused person namely Sonu Paswan in MCRC No.7379 of 2020 has already been granted regular bail by the Co-ordinate Bench of this Court vide order dated 09.12.2020. He further submits that applicant has no criminal antecedent. Therefore, the applicant be also granted bail on the ground of parity.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, the detention period of the applicant, in particular the fact that the similarly situated co-accused person has already been granted regular bail by the Co-ordinate Bench of this Court, the applicant has no criminal antecedent as admitted by both the counsels and she is the first offender and that conclusion of trial may take some time, without expressing any opinion on 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 for a sum of Rs.50,000/- with one surety for the like amount 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 not involve herself in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh