

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 10 of 2021**

- Aarati Mishra W/o Vikas Mishra, aged about 37 years, R/o Dharampura, Jagdalpur, District Bastar (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : The Police Station - Bandaji, District Bastar (C.G.)

---- Respondent

For Applicant	:	Mr. Ashok Kumar Komra, Advocate.
For Respondent.	:	Mr. Vimlesh Bajpai, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/06/2021**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending her arrest in connection with Crime No.48/2020 registered at Police Station - Bandaji, District Bastar (C.G.) for commission of the offence punishable under Sections 420, 34 of Indian Penal Code.
2. The prosecution story, in brief, is that complainants lodged a report at police station Bandaji, alleging therein that co-accused and the present applicant gave them assurance of approval for providing loan amount. It has been further alleged that some part of the loan amount has been disbursed from the loan account of complainant Sonu Ram Thakur. Based on this, offence has been registered against the applicant.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is neither employee of bank nor she had played any role in approval of loan. The only allegation against the applicant is that she helped co-accused namely Manish Jain. The applicant is lady aged about 37 year and she is ready to abide by all the directions and conditions which may be imposed upon her by the Hon'ble Court. Therefore, the applicant may be granted anticipatory bail.

4. Counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, further considering the nature of allegation against the applicant, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, she shall be released on bail on her furnishing a personal bond in the sum of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make herself available for interrogation/medical examination before the concerned investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any

inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge

pkd