

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5925 of 2015

Santoshi Chandrakar, W/o. Sunil Chandrakar, Aged About 32 Years,
Caste Kurmi, R/o. Ward No.12, Bagbahra, Police Station & Tahsil
Bagbahra, District Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station
Bagbahra, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant : Mr. Vikas Pradhan, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/11/2015

1. This is the first bail 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.260/2015 registered at Police Station- Bagbahra, District Mahasamund (C.G.) for the offence punishable under Sections 294, 323, 506-B, 427, 186, 353 of Indian Penal Code.
2. Case of the prosecution is that on 03.10.2015 at about 11:30 A.M., the applicant went to a liquor shop wherein complainant Santram who was employee of the Excise Department was present and from whom the mobile number of superior officer was being asked by the applicant. Thereafter, in altercation the said Santram who is an employee of the Excise Department was assaulted and abused and subsequently the applicant threw away few of the cartoons of country made liquor.

3. Learned counsel for the applicant submits that actually the complainant went to the house of the applicant and inadvertently demanded the amount in respect of a case of Madhu Gupta since Madhu Gupta was neighbor and in order to enquire such matter when she went to the liquor shop the altercation started. He further submits that the applicant has been falsely implicated in this case and to her knowledge the charge sheet has been filed; therefore, she may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into account the degree of offence and the manner it was committed and considering the fact that the charge sheet has been filed and further taking into fact that the applicant is a lady and she is in jail since 07.10.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge