

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6008 of 2015

1. Smt. Reena Jagat, aged about 22 years, W/o. Shri Ravi Jagat, R/o. Sudamanagar, Oriya Basti, Police Station – Tikrapara, Raipur, Civil & Revenue District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Tikrapara, Raipur, District Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Manoj Kumar Dubey, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.426/2015, registered at Police Station – Tikrapara, District Raipur (C.G.) for the offence punishable under Section 294, 323, 302/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased Sano Jagat lodged a report that on 26.08.2015 he was assaulted by Ravi Jagat and his wife Reena Jagat and thereafter, Sano Jagat died on 30.08.2015.
3. Learned counsel for the applicant would submit that the deceased Sano Jagat was the grand father of Ravi Jagat and out of family dispute, there was some scuffle took place between Ravi Jagat and Sano Jagat and date of death was 30.08.2015, which can not be directly attributed to the wife of Ravi Jagat as the primary allegations

are against Ravi Jagat. He would further submit that the applicant is in jail since 03.09.2015 and she has two years old son, therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and the primary allegations are made against Ravi Jagat and taking into the fact the way the incident has happened between the family members and further taking into the fact that the applicant is a lady and considering the nature of allegations, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the 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