

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7053 of 2015

Smt. Pushpa Rathore W/o Sanjay Kumar Aged About 38 Years
Caste Rathore R/o Village Kanchanpur, Police Station Sakti, District
Janjgir Champa Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : The Station House Officer, Police
Station Sakti, District Janjgir Champa Chhattisgarh

---- Respondent

For applicant - Shri V.K. Pandey, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/12/2015

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 147/2015 registered in Police Station Sakti, District Janjgir-Champa (C.G.). for offence punishable under section 307/34 of the Indian Penal Code, 1860.
2. As per the prosecution case applicant along with her father are alleged to have administered the poison to complainant Savita Patel by which she became seriously ill and thereby committed the offence.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in the case. He further submits that complainant Savita Patel has lodged the report for an offence under Section 376 of IPC against brother of the applicant in which he is detained in jail. He submits that on the date of incident on 7/06/2015 complainant Savita Patel entered into house of the applicant and asked to get her married with the brother and subsequently poison was consumed. He further submits that under the similar allegation considering the statement of Kotwar Chandrabhan

Mahant and Sarpanch Haricharan Rathore coordinate bench has granted bail to the other co-accused in M.Cr.C. No.4878/2015 and he submits that similar allegations are levelled against this applicant, therefore she may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail, however do not dispute the fact that coordinate bench has granted bail to the other co-accused in M.Cr.C. No.4878/2015, except for the fact that this applicant was absconding the allegations are of similar nature.

5. Taking into consideration the fact that under the similar circumstances coordinate bench has granted bail to the co-accused in M.Cr.C. No.4878/2015 considering the statement of Sarpanch and Kotwar, on the ground of parity, this court is also inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE