

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4278 of 2015

Parwati Vais, Wife of Late Shri Narayan Vais, aged about 53 years, Caste Mahra, R/o Village Chindwada, Thana Darbha, Civil & Revenue District Bastar (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Jagdalpur Kotwali, District Bastar (C.G.)

---- Non-applicant

For Applicant:	Mr. Punit Ruparel, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.128/2014 (Criminal Case No.1310/2014 pending in the Court of Chief Judicial Magistrate, Jagdalpur), registered at Police Station Kotwali, Jagdalpur, Distt. Bastar, for the offence punishable under Sections 457, 380, 411 and 414 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that accused persons stolen jewellerys and ornaments from the house of complainant Satyanarayan Agrawal and said jewellery was sold to the applicant and co-accused Subba Rao.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and she has been falsely implicated in the case. Co-accused Subba Rao & Shashikant Prasad have already been granted bail by a coordinate Bench of this Court by order dated 10-9-2014 passed

in M.Cr.C.No.4508/2014. He further submits that at the most, offence under Section 414 of the IPC would be made out against the applicant for which charge has already been framed. The applicant is in jail since 2-7-2014 and trial is likely to take time.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, framing of charge for the offence under Section 414 of the IPC, pre-trial detention of the applicant from 2-7-2014 and the fact that co-accused persons have already been granted bail, I am of the view that it is a fit case to grant regular bail to the applicant also. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for her appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge