

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4931 of 2015**

Smt. Anita Bai, wife of Peelaram Shyam, aged about 40 years, resident of village Mudghusri, police station Takhatpur, Civil and Revenue District Bilaspur (Chhattisgarh)

.....Applicant**Versus**

State Of Chhattisgarh Through the Station House Officer, Police Station Takhatpur, Civil and Revenue District Bilaspur (Chhattisgarh)

---- Non-Applicant

For Applicant:	Shri Kamal Kishore Patel, Advocate.
For Respondent/State:	Shri N.K. Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 149/2015 registered at Police Station Takhatpur, Civil & Revenue District Bilaspur for the offences punishable under Sections 498-A & 306/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant and other two co-accused persons have abated deceased Kanchan Shyam to commit suicide, by which she committed suicide on 24.4.2015 and thereby committed the aforesaid offences.

(3) Learned counsel appearing for the applicant would submit that the applicant is innocent person and he has falsely been

implicated in the crime in question. He would further submit that co-accused person namely Peelaram has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4574/2015 and, therefore, the present applicant may also be entitled for bail on the ground of parity.

(4) On the other hand, learned counsel for the State, after verifying the records, would submit that present case is similar to that of accused person, who has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4574/2015.

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 07.09.2015 in M.Cr.C. No. 4574/2015; and the applicant is in jail since 06.06.2015, this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant – Smt. Anita Bai is directed to be released on bail on her executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

