

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 210 of 2016

Smt. Rukmani W/O Sanjay Kumar Aged About 30 Years R/O Village Jurudand, P.S. And Tahsil Bagicha, District Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Bagicha, District Jashpur, Chhattisgarh.

---- Respondent

For applicant – Shri Vikash Pandey, Advocate.
For Respondent/State –Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

9/03/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending her arrest in connection with Crime No. 194/2015 registered at Police Station Bagicha for offence punishable under 307, 294, 323, 506-B read with section 34 of Indian Penal Code.
2. As per the prosecution case complainant Kunti Bai made a report that on 24/11/2015 husband of the applicant Sanjay has assaulted Purendra who is real brother of Sanjay by way of a club and during such scuffle Kunti Bai was pushed by this applicant.
3. Learned counsel for the applicant submits that entire allegations are against Sanjay husband of the applicant who entered into dispute with his real brother Purendra and scuffle took place. Therefore, he submits that considering the role played by this applicant and for the fact that applicant has minor son, she may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. Taking into account facts of this case, role played by this applicant

and entire allegations are predominantly against husband of the applicant and also considering the fact that applicant is a lady, I am inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) the applicant shall 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/-
(Goutam Bhaduri)
JUDGE