

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4424 of 2016

- Smt. Rekha Gupta W/o Sandeep Goyal Aged About 26 Years R/o Civil Line, Manendragarh, Police Station & Tahsil Manendragarh, District Korea Chhattisgarh At Present R/o Village Sakola (Kotmi), Tahsil Pendra, District Bilaspur Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Korea Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Dharendra Prasad Mishra, Adv.
For the Respondent	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 149 of 2016 registered at P.S. Manendragarh, Distt. Korea (C.G) for the offence punishable under Section 380, 419, 34 IPC
2. As per the prosecution case, a report was made by one Suresh Kumar Goyal, who is father in law of the applicant alleging that on 18.04.2016 Rekha Gupta was married to the son of the complainant Sandeep Goyal and on 29.04.2016 one Vishnu came who was introduced as relative of Rekha Gupta and thereafter in the night, daughter in law of the complainant and the said person Vishnu fled away.
3. Learned counsel for the applicant submits that no allegations of theft can be alleged against the present applicant as the ornaments which were taken away by the applicant belonged to her. It is further submitted that the charge sheet in this case has been filed and similarly placed co-accused Ankush

Gupta has been enlarged on bail in M.Cr.C. 4246/2016 on 02.08.2016.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that similarly placed co-accused has been enlarged on bail in M.Cr.C.No.4246/2016.
5. Perused the case diary documents as also the statements.
6. Taking into the degree of allegations and the nature of offence and further considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 29.06.2016, 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 is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. She will also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**