

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3605 of 2016

- Satwantin Bai W/O Shri Bhukhan Dhruv Aged About 45 Years R/o Ward No. 06, Lawan, P.S. Kasdol, District Balauda Bazar Bhatapara, Chhattisgarh.
--- **Petitioner**

Versus

- State of Chhattisgarh Through The Police Station Kasdol, District Balauda Bazar Bhatapara, Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Pushpendra Kumar Patel, Adv.
For the Respondent	:	Mr. Anil S. Pandey, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13.07.2016

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. 07/2016 registered at P.S. Kasdol, Balaudabazar-Bhatapara (C.G) for the offence punishable under Sections 147, 148, 149, 452, 186, 307, 477, 332, 436 & 336 of IPC and Section 5 of the Prevention of Damage to the Public Property Act.
2. As per the prosecution case, on 02.01.2016, an accident took place in which a girl died near bus stand Lavan. This resulted in wrath of public and the furious mob created havoc. It is alleged that the applicant and other accused alongwith relatives of the victim girl entered into police station, pelted stones and also caused injuries to police personnel. It is further alleged that in the said violent act, damage was caused to the public property and public documents.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and it is a case of false implication. It is submitted that the applicant was only present at the spot and she

individually did not cause any injury to anyone or damage to the public property but being part of crowd gathered at the spot to express her sympathy for the death of the girl, she has been implicated. It is lastly submitted that the investigation is complete and charge sheet has been filed and she is in jail since 2nd January 2016. It is further submitted that similarly placed co-accused have been granted bail by the coordinate Bench of this Court in M.Cr.C.Nos. 2513, 2521, 2522, 2532 & 2953 of 2016 on 01.06.2016, therefore, on the ground of parity this applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail and submit that the applicant was also part of the violent mob and has caused damage to the public property/ public documents. However, he do not dispute the fact that similarly placed co-accused have been granted regular bail by this Court by the coordinate Bench of this Court.
5. Perused the case diary and other documents.
6. Taking into totality of the facts and circumstances of the case especially the fact that similarly placed co-accused have been granted bail by by the coordinate Bench of this Court, I am inclined to allow this bail application.
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**