

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7500 of 2016

- Smt. Purnima Singh @ Bamlohin W/o Tribhuwan Nath Singh, Aged About 45 Years R/o Of Village Rajkheta, Police Station Sitapur, District Sarguja, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Sitapur, District Sarguja, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. C. J. K. Rao, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2016

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. 54/2016 registered at P.S. Sitapur, Distt. Sarguja (C.G) for the offence punishable under Section 302, 307, 325, 323 read with Section 34 IPC.
2. As per the prosecution case, on 16.04.2016 when the complainant Leelavati went to pluck tamarind along-with Jeevit kumar Singh, the deceased the applicant and other accused Deepak Singh, Taj Sharan Singh and Tribhuwan Singh who is the brother of Jeevit Kumar Singh objected them and entered into altercation, thereafter the applicant and other accused assaulted Jeevit Kumar by way of club and subsequently Jeevit Kumar died. It is also alleged that complainant Leelavati and another lady Sarojni were also assaulted and they had sustained grievous injuries.
3. Learned counsel for the applicant would submit that the

applicant is lady and the entire allegations of beating is attributed to other accused and the allegation against this applicant is that she has provoked the other accused to beat the deceased and Leelawati.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of Leelawati, one of the witnesses. The allegations levelled against the applicant is that she has provoked the other accused and she has not assaulted.
6. Taking into the nature of such allegations levelled against the applicant and looking to the period of her detention as she is stated to be in jail since 16.04.2016, I am inclined to release her 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 till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**