

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**(Single Bench : Hon'ble Shri Justice Ram Prasanna Sharma)****MCRC No. 6004 of 2017**

- Smt. Ram Pyari Sahu W/o Late Shri Naroutam Sahu, Aged About 62 Years R/o Ganesh Nagar, Raipur, Police Station D.D. Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant.**Versus**

- State Of Chhattisgarh Through Its Station House Officer, Police Station D. D. Nagar Raipur, District Raipur, Chhattisgarh.

---- Respondent

For applicant	:	Mr. Jitendra Nath Nande, Advocate.
For respondent/State.	:	Mr. Sumit Rawat, Panel Lawyer.

Oral order

(Passed on 27-11-2017)

1. The applicant has preferred this application under Section 439 of the Cr.P.C. for grant of regular bail, who has been arrested on 27-4-2017 in connection with Crime No. 85 of 2017 registered at Police Station D.D. Nagar, Raipur, District Raipur (CG), for the offence punishable under Section 328 of IPC.
2. As per prosecution case, the applicant/accused has mixed some substance in herbal tea and placed the same before the complainant and after drinking the same complainant felt uneasy and thereafter admitted to hospital.
3. Learned counsel appearing for the applicant submits that there is no report regarding any substance mixed by the applicant for falling the case under Section 328 of IPC. He further submits that the

applicant is a woman and is in custody since 27-4-2017, therefore she may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Looking to the fact that there is no report filed with the charge-sheet regarding mixing of any substance in herbal tea and further looking to the fact that the applicant is in custody since 27-4-2017, this court is of the view that it is a fit case where the applicant can be released on bail.
7. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on his furnishing a surety in the sum of Rs.20,000/- to the satisfaction of the concerned Court for his appearance before the said court as and when directed by the said Court, till the disposal of the case

Sd/-

(Ram Prasanna Sharma)
Judge

Raju