

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5680 of 2017**

- Smt. Swati Patel W/o Shivbhan Patel, Aged About 29 Years R/o Village Chinddand, Ward No. 1, Baikunthpur, Police Station Baikunthpur, District Korea Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Khadganwa, District Korea Chhattisgarh.

---- Respondent

For Applicant	:	Shri D.N. Prajapati, Advocate
For Respondent-State	:	Shri SRJ Jaiswal, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/12/2017**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 23.07.2017 in connection with Crime No. 117/2017 registered at Police Station Khadganwan (Jhagrakhad) District Korea (CG) for the offence punishable under Sections 294, 323/34 of the I.P.C. and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.
2. As per the prosecution case, on an inspection when was made by the local Minister and Collector on 21.07.2017 in a Hostel, the students complained about certain irregularities about not giving food on time and the goods which were given by the State were not being given to the students and when the students complained about these irregularities, the present applicant along with her husband had beaten the students and abused

them after the inspection team went away. Thereby the offence is committed.

3. Learned counsel for the applicant submits that the charge-sheet in this case has been filed and in place of the applicant another woman has been appointed in the hostel and no further investigation is necessary in this case, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case-diary & document. Considering the facts of this case and taking into consideration the submission made by the applicant that one person has been appointed in place of the applicant in the hostel and the applicant is lodged along with one child, I am inclined to release the applicant on bail.
6. Accordingly, the 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 trial Court. She is directed to appear before the trial Court on each and every date given by the said Court. It is also made clear that during the pendency of the trial before the Court below, the applicant shall not try to enter into the hostel premises and shall not try to contact with the student/witnesses personally or through any one. In case if it is found that the applicant has indulged in such activities, her bail shall stand canceled automatically.

Sd/-

Goutam Bhaduri

Judge

Ashu