

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6480 of 2017**

- Mamta Paikara, D/o Shri Basant Paikara, aged about 22 years, R/o Gandhinagar, Muktipara, Ambikapur, District Surguja (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, District Bilaspur, Chhattisgarh

---- Non-Applicant

For Applicant : Shri NK Chatterjee, Advocate.

For Non-Applicant : Shri Rajendra Tripathi, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/11/2017**

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.258/2017, registered at Police Station : City Kotwali, District Bilaspur for offence under Section 306/34 of the IPC.
2. The applicant and the deceased were together attending coaching class for preparation of PSC examination. They happened to fall in love with one common boy Amrit Shandilya. To motivate the deceased to stop liking Amrit, the applicant started sending text messages through WhatsApp to the deceased Priti Mishra. She entered into such chatting by posing as if he is the brother of the applicant Mamta Paikara. The messages exchanged between the applicant (as brother of Mamta Paikara) and the deceased on the date of the incident is part of the case diary.
3. Learned State Counsel would oppose the prayer for grant of bail.

4. Having considered the entire material available in the case diary, it is debatable whether the acts committed by the applicant would amount to abetment, as defined under Section 107 of the IPC so as to make it punishable under Section 306 of the IPC.
5. The applicant is a young girl aged about 22 years. She is in jail since 9.9.2017. Investigation is also complete as the charge sheet has already been filed. Therefore, considering all the relevant aspects of the matter, this Court is 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 for a sum of Rs.25,000/- with one surety for the like amount 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.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve