

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 413 of 2018

1. Smt. Rukhmani Gond W/o Madhusudan Gond, Aged About 50 Years, R/o Jail Para, Village Bemcha, P.S./Tahsil Mahasamund, District Mahsamund Chhattisgarh , Chhattisgarh
2. Smt. Santoshi Gond, W/o Ajay Gond, Aged About 24 Years, R/o Jail Para, Village Bemcha, P. S./Tahsil Mahasamund, District Mahsamund Chhattisgarh , District : Mahasamund, Chhattisgarh
3. Smt. Sadhvi Gond, W/o Mohan Gond, Aged About 22 Years, R/o Jail Para, Village Bemcha, P. S./Tahsil Mahasamund, District Mahsamund Chhattisgarh , District : Mahasamund, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, City Kotwali, District Mahasamund Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicants – Shri Siddharth Rathore, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-02-2018

1. This is first bail application filed under Section 439 of the Cr.P.C. by the applicants before this Court for grant of regular bail. The applicants have been arrested on 18-09-2017 in connection with Crime No.467/2017 registered at P.S. - City Kotwali, District Mahasamund, Chhattisgarh for the offence under Section 302/34 of the IPC.
2. Learned counsel for the applicants prays to withdraw bail application filed under Section 439 of the Cr.P.C. on behalf of applicant No.1-Smt. Rukhmani Gond and applicant No.3 - Smt. Sadhvi Gond.
3. Consequently, the prayer made by applicant No.1 and applicant No.3 for grant of regular bail in this application are hereby dismissed as withdrawn.
4. It is submitted on behalf of the applicant No.2 Smt. Santoshi Gond that this applicant is in jail since 18-09-2017 and her two sons are minor aged about 4 months and two years were also sent to jail, as there is nobody else to

look after them. No case is made out against applicant No.2. Hence, it is prayed that she may be granted regular bail.

5. Learned counsel for the State/non-applicant opposes the application.

6. Without considering on the merits of the case, only for the reason that applicant No.2 being a mother of children of tender age and because of her detention her both children are also staying with her in jail, I am of this opinion that she should be granted regular bail for the purpose of taking care and paying proper attention to her children of tender age.

7. Consequently, the prayer of applicant No.2 Smt. Santoshi Gond for grant of regular bail made in this application is hereby allowed. It is directed that applicant No.2 Smt. Santoshi Gond shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Applicant No.1 and applicant No.3 shall have liberty to revive the application if any circumstance arises in future.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge