

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7842 of 2017

- Smt. Dropati Ratre, aged about 38 years, W/o Chetan Ratre, R/o Chhota Ashok Nagar, near Buddha Vihar, Police Station Gudiyari, District Raipur (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station -Gudiyari, District Raipur (C.G.)

---- Respondent

For Applicant : Mr. Manoj Kumar Dubey, Advocate.
For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

30/01/2018

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 in connection with Crime No. 248/2017, registered at Police Station- Gudiyari, District – Raipur (C.G.) for the offence punishable under Sections 147, 148, 149, 506, 323, 307, 302 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and she has not committed any offence. He submits that the applicant is in detention since 14.10.2017. FIR, lodged in this case, does not disclose the name of the applicant. In the Statement under Section 161 of the Cr.P.C. recorded on 07.10.2017 the name of the applicant has been deliberately added showing her participation in the crime in question. Applicant is a local resident of

District Raipur and as she is the woman, hence, she is entitled for grant of regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the prosecution witnesses have clearly stated in their statements recorded under Section 161 of Cr.P.C. about the role of the applicant in the crime in question, and, therefore, she is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. It is alleged that applicant along with other co-accused persons formed an unlawful assembly having common intention to cause death of Deceased- Shubham Bhauteker and injuries to other injured persons and this unlawful assembly has assaulted the deceased and others. Subsequently, the deceased- Shubham Bhauteker died during course of his treatment. After completion of investigation, charge-sheet has been filed.
6. Having heard learned counsel appearing for the parties, having regard to the facts & circumstances of the case, I am of the view that this is a fit case where the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

