

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7469 of 2017

- Kaushilya W/o Shri Subhash Aged About 32 Years R/o Village Rakeli, P. S. Darima, District Surguja Chhattisgarh , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Darima District Surguja Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Soniya Kuldeep, Advocate.
For Respondent	:	Mr. Wasim Miyan, Panel Lawyer.

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

16/01/2018

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.101/2017, registered at Police- Station Darima, District– Surguja (C.G.) for the offence punishable under Section 305 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 23.9.2017. No case is made out against her on the basis of the material collected by the prosecution case. After completion of investigation, charge-sheet has already been filed. Applicant is a woman, hence, it is prayed that she may be granted regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is sufficient material for

prosecution of the applicant, hence, she is not entitled for grant of regular bail.

4. Heard both the parties and perused the case diary.
5. As the case is, that deceased Shailendra Singh Porte, 11 years old boy, entered the shop of applicant for some purpose. On coming to know that applicant had entered her shop in the morning at about 9 a.m. on the date of incident, the applicant started alleging that he has entered her shop with intent to commit theft and she chased him out. In the same evening at about 6, the deceased committed suicide and therefore offence has been registered against the applicant.
6. Considered the submissions made and contents of the case diary. Taking into consideration all the material on record, I am of this view that this appears to be a fit case where the applicant should be enlarged on 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 her 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 his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge