

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1298 of 2018**

- Rita Yadav W/o Santosh Yadav Aged About 30 Years R/o.- Village- Putsu, Tahsil- Balrampur P.S.- Pasta, District- Balrampur, Ramanujganj, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Police Station-Pasta, District- Balrampur-Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	:	Shri A.K. Yadav, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State
For Objector	:	Shri BD Badgayan, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/04/2018**

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 on 10.10.2017 in connection with Crime No.51/2017 registered at Police Station Pasta, Balrampur-Ramanujganj (CG) for the offence punishable under Sections 302, 120 B, 294 IPC (All section not mentioned in impugned order).
2. As per the prosecution case, on 27.08.2017 deceased Anand Yadav was traveling along with one Dhanukdhari at that time one Santosh Yadav, who was hiding himself in the field behind the maize crop, all of sudden came out with an axe and assaulted the deceased Anand Yadav, thereby he fell down and died. It is alleged that the present applicant along with the other co-

accused was also present on the spot and after the incident they ran away.

3. Learned counsel for the applicant submits that the applicant has not played any role and the only thing she was incidentally present on the spot. He further submits that the entire allegation is attributed to Santosh Yadav and the applicant is in jail since 10.10.2017. He further submits that the similarly placed co-accused namely Pramukh Yadav has been enlarged on bail in M.Cr.C. No.7478/2017 on 16.01.2018, therefore, the present applicant may also be released on bail.
4. State counsel is not able to dispute the fact that the similarly placed person has been enlarged on bail.
5. Per contra, Shri BD Badhayan, learned counsel for the objector opposes the prayer for grant of bail.
6. Considering the facts of this case, statements and also the role played by the present applicant, I am inclined to release the applicant on bail.
7. 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.

Sd/-

Goutam Bhaduri
Judge

Ashu