

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2042 of 2018

- Diksha Trivedi W/o Ravindra Trivedi, Aged About 23 Years, R/o- Phase 3 K.B.T. 305, Kabir Nagar, P.S. Kabir Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Kasdol, District- Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant – Shri Vivek Sharma, Advocate.

For Non-applicant/State – Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. Her first bail application, MCRC No. 578 of 2017 was rejected on merits by the coordinate Bench of this Court vide order dated 24-04-2017. The applicant has been arrested on 18-10-2016 in connection with Crime No.381/2016 registered at P.S. Kasdol, District- Baloda Bazar-Bhatapara, Chhattisgarh for the offence under Section 454, 394, 414, 120-B of the IPC and Section 25, 27 of Arms Act and Section 65(B) of I.T. Act.

2. It is submitted on behalf of the applicant that the applicant is in jail since 18-10-2016, and it is more than one year, and still the trial against her has not been concluded. Co-accused person Deepak Thakre has been granted bail by this Court for the reason of delay in conclusion of the trial against him. The applicant is also similarly placed, hence, it is prayed that this applicant may also be granted bail.

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

4. Heard learned counsel for the parties.

5. As the first bail application of this applicant has been decided on merits, hence only ground that will be considered in this case is fact of delay in conclusion of the trial against this applicant. It is not denied that the trial is getting delayed and the applicant is in jail since 1 and ½ years and she has no criminal antecedent. Further, her case cannot be differentiated with that of the co-accused person who has been granted bail by this court. Hence, for these reasons, I am of this view that this applicant should be released on bail during pendency of the trial against her.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant 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. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge