

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 739 of 2018

- Dropati Bhaskar W/o Rikhiram Bhaskar, Aged About 65 Years, R/o Village Manikpur, Tahsil Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kunda, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicant – Shri Vipin Singh, Advocate.

For Non-applicant/State – Shri Rahul Tamaskar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-08-2018

1. Apprehending arrest in connection with Crime No.127/1997, registered in Police Station – Kunda, District Kabirdham, Chhattisgarh for offence punishable under Section 306/34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. She had been granted regular bail in Sessions Trial No.66/98 before the Sessions Judge at Mungeli, but due to some misunderstanding she has stopped appearing before the said Court and she had been declared absconding and permanent warrant of arrest has been issued against her, because of which she is apprehending arrest in this case. Hence, she may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant has clearly violated the order of the Sessions Court and also this fact has to be noticed that the trial against co-accused persons has completed in his conviction. Hence, no case is made out for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. Considered on the facts and circumstances of this case and also that this applicant was released on regular bail by the Sessions Court itself and that she is 65 years old lady and presently she is willing to submit before the jurisdiction of said Court to face the trial, hence, for these reasons I feel inclined to grant anticipatory bail to this applicant.

6. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge