NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.4948 of 2018

Smt. Tara Bai Sarthi, W/o Kriparam Sarthi, aged about 50 years, R/o Motisagarpara, Korba, Tehsil and District Korba (C.G.)

---- Applicant
(In Jail)

Versus

State of Chhattisgarh, through Station House Officer, Police Station Kotwali, Korba, District Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Anil Singh Rajput, Advocate.
For Non-applicant:	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

30/07/2018

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.255/2018, registered at Police Station Kotwali, Distt. Korba, for the offence punishable under Section 307 read with Section 34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and one other co-accused caused grievous injuries to the complainant which were sufficient to cause her death.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and she has been falsely implicated in the case. He would further submit that on account of some trivial dispute, offence has been registered against the applicant and injuries are simple in nature. The applicant is in custody since 29-6-2018 and charge-sheet has already been filed.

4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicant, dispute between husband & wife, nature of injuries and considering the fact that co-accused Vijay Sarthi has already been granted regular bail by this Court and the present applicant is mother of Vijay Sarthi, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.

7. It is, therefore, directed that the applicant 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.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma