

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1070 of 2018**

Runi Singh W/o Sudhir Singh, Aged About 35 Years R/o- Village Chatakpur, P.S. And Tahsil Dhourpur, District- Surguja, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, through : S.H.O. Police Station- Dhourpur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Nishikant Sinha, Advocate
For Respondent/State	: Mrs. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****20/09/2018**

1. Apprehending arrest in connection with Crime No.38/2018, registered at Police Station – Dhourpur, District – Surguja (C.G.) for offence punishable under Section 294, 506-B, 323, 325, 452, 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The offence under Section 452 of I.P.C. is not made out against the applicant and rest of the offences are bailable in nature. Hence, for this reason, it is prayed that the applicant may be enlarged on anticipatory bail.
3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.

5. According to the FIR lodged in this case, it is alleged that on the date and time of incident, this applicant had scolded the child of the complainant, when the complainant objected, this applicant came back to her house and used abusive words for her. In the meanwhile, the husband of this applicant came on the spot and assaulted and injured the complainant causing her injuries. Hence, this case
6. Considered the submissions made and the contents of the case diary. Considering on all the material present in the case diary, as it appears that this applicant was not a party to the assault, which is alleged in this case, hence, after due consideration, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram