

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1316 of 2018

- Smt. Geeta W/o Bahru, Aged About 35 Years, Caste Gosai, R/o Jamchua, Police Station Narayanpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Narayanpur, Distirct Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Non-applicant

For Applicant – Smt. Indira Tripathi, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-10-2018

1. Apprehending arrest in connection with Crime No.35/2018, registered at Police Station – Narayanpur Distirct Jashpur, Chhattisgarh for offence punishable under Section 307, 147, 324, 294, 506, 323 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. No case is made out against this applicant, according to the evidence in the case diary. This applicant only assaulted one Koushilya with slippers and that does not make out offence under Section 307 of the IPC. Hence, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that this applicant was a member of unlawful assembly that has committed the offence of attempt to murder, hence, no case is made out for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that on the date of incident this applicant and the co-

accused persons armed with axe and clubs made assault causing grievous injury to Shobharam Giri and Jainath, regarding which the FIR has been lodged. The allegation against this applicant is to the extent that she was pulling hair of Koushilya and assaulting her with slippers only.

6. After due consideration on the entire material present in the case diary and looking to the extent of participation of this applicant in this incident, I am of this opinion that this is a fit case for grant of anticipatory bail to this applicant.

7. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge