

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8533 of 2018**

Ashomati Janghel, W/o. Vishram Verma, aged about 26 years, R/o. Village – Bazar Atariya, P.S. Khairagarh, District – Rajnandgaon (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through- P.S. - Khairagarh, District – Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Abhishek Pandey, Advocate
For Respondent : Mr. Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****27/11/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.193/2017, registered at Police Station- Khairagarh, District – Rajnandgaon (C.G.) for the offence punishable under Section 147, 148, 149, 307, 302/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He is in jail since 07.07.2017. No case is made out against her regarding the offence under Section 302 of I.P.C.. Similarly placed co-accused persons Smt. Neera Bai, Bal

Mukund, Setram Verma and Yamini Verma have been granted regular bail by this Court. Hence, for this reason, it is prayed that the applicant may also be enlarged on bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that there is clear evidence about the participation of the applicant in the assault, which has resulted in the commission of serious offence. Hence, the application be rejected.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The case against this applicant is this that a quarrel took place between Tameshwar, Vishram and others with the deceased Kheduram and Ganga Bai. Kheduram and Ganga Bai left the spot on motor cycle, who were chased by the Tameshwar and Vishram, who assaulted both of them with rod causing fatal injuries, which has resulted in their death. Assailants came back to the spot of the incident and it is alleged that at that time the assailants along with this applicant and other accused persons assaulted and injured the other witnesses on the spot.
6. Considered the submissions made and the contents of the case diary, as it appears from the evidence that this applicant was not present on the scene of the murder that has taken place and similarly placed co-accused persons have been granted regular bail by this Court, hence, for this reason, this Court is of the opinion that present is a fit case, in which the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge