

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 704 of 2019**

Raimati @ Reymati @ Paro, D/o Budhram Modiyam, aged about 29 years, R/o Bodli, P.S. Nelasnar, District Bijapur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Mirtur, District Bijapur (CG).

---- Non-applicant

For Applicant	: Mr. Vedant Bhelonde, Advocate appears on behalf of Mr. P.R. Patankar, Advocate
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

14.02.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.1/2013 registered in Police Station Mirtur, District Bijapur for the offence punishable under Sections 147, 148, 149, 307 of Indian Penal Code, Sections 25 & 27 of Arms Act and Sections 4 & 5 of Explosive Substance Act.
3. Case of the prosecution, in brief, is that on 29.12.2012 at about 7:15 hrs. at forest of village Japatamark, the applicant and other naxallites made firing on the police party for 32-35 rounds. During the searching, Naxal literature, electric wire, detonator and some other articles were seized from her.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He submitted that one case under IPC has already been registered against the applicant in police case diary.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence and looking to the impact of granting bail to the applicant on society, this Court is not inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the bail application is rejected.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE