

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1510 of 2019**

Smt. Bhime Kashyap, W/o Kailash Kashyap, aged about 25 years, R/o Village Potali Patelpara, Police Station Aranpur, District South Bastar Dantewada, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through The Police Station Aranpur, District South Bastar Dantewada Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Pravin Kumar Tulsyan, Advocate.  
For Respondent/State : Ms. Smriti Shrivastava, P.L.

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**28/06/2019**

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 13/2018, registered at Police Station —  
Aranpur, District-Dantewada (C.G.) for the offence punishable under Section 4 and 5 of Explosive Substance Act and 8 (1) (3) (5) of C.G. Vishesh Jan Suraksha Adhiniyam.
2. First bail application was dismissed as withdrawn with liberty to file afresh after four months vide order dated 14.12.2018 passed in MCRC No.9255/2018.
3. As per the prosecution story, on 30.08.2018, during search conducted in the village Potali, Patelpara, the Applicant has been

caught by the police officials in suspicious condition, on the basis of suspicion, the police officials searched the Applicant. On being searched, one blue bag has been found from her possession, after enquiry of the said bag, four numbers of detonator wire, four meters of electric wire, three numbers of powerful battery and other articles have been found inside the bag and seized from the possession of the present Applicant. On the basis of said, offence has been registered. The Applicant is in custody since 31.08.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there is no direct evidence available on record against the Applicant. No seizure memo has been prepared by the police officials regarding the seized articles. He further submits that both the seizure witnesses have already been examined before the Trial Court and one seizure witness namely Pawan Kumar Pujari has not supported the case of the prosecution and turned hostile. He further submits that the Applicant is in custody since 31.08.2018, charge sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, particularly considering the fact that the Applicant is in custody since 31.08.2018, charge sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.

8. Accordingly, the bail application is allowed.

9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local solvent surety to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-  
**(Arvind Singh Chandel)**  
**Judge**