

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.2136 of 2019**

Mangtin Bai, wife of Ramdhin, aged about 50 years, Caste Gond, R/o village Bamhani, P.S. Gariyaband, District Gariyaband (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, P.S. Gariyaband, District Gariyaband (CG). **---- Non-applicant**

For Applicant : Ms. Sunita Sahu, Advocate.
For Non-applicant : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10.04.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.258/2018 registered in Police Station Gariyaband for the offence punishable under Sections 294, 323, 506, 304 of Indian Penal Code.
3. Prosecution story in brief is that the present applicant is the mother of deceased Dulesh Dhruv. On 27.10.2018 at about 8:00 a.m. in village Bharni, on account of consuming liquor dispute was arisen between the applicant and deceased Dulesh Dhruv. The applicant being flamed caused injury on head of deceased by water pot of brass and wooden club. Deceased was admitted for his treatment in District Hospital, Gariyaband. On very day, deceased was died during treatment in hospital. As per supplementary statements of Ramdhin Gond, who is the husband of applicant and Yogendra Kumar, who is the son of applicant allegedly eye-witnesses of the incident had stated that the applicant had made forcefully sexual assault to the deceased intoxicating condition.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence she may be released on bail.
5. Counsel for the State opposed the bail application. However, he submitted that no criminal antecedent of the applicant is reported in police case diary.
6. Looking to the above facts and circumstances of the case, the bail application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the like sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and she would co-operate during the trial, she shall be released on bail and she shall not commit any such type of offence in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-