

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2317 of 2019

- Urmila Bhaskar W/o Pawan Banjare Aged About 50 Years R/o Lalpur, Police Station - Lalpur, District - Mungeli Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Takhatpur, District - Bilaspur Chhattisgarh.

---- Respondent

For Applicant : Shri Awadh Tripathi, Advocate.
For Respondent/State : Shri DP Singh, Dy. AG.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/04/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 14/2019, registered at Police Station – Takhatpur, District- Bilaspur (C.G.) for the offence punishable under Sections 307, 120 B & 34 of the IPC and Section 25 & 27 of the Arms Act.
2. As per prosecution story, on 15.01.2019, complainant Jitendra Giri lodged a report against unknown person stating that on the said date at about 13:50, some unknown person took a shot on Anganwadi Sahayika namely Jogita Banjare on her back, due to which she got injured. On the basis of said report, offence has been registered against unknown persons. During course of investigation, on the basis of memorandum statement of the Applicant and other co-accused person, it was found that due to some previous enmity, the Applicant instructed the co-accused person to shot fire to injured Jogita Banjare. On the basis of said background, the Applicant has been arrested on 19.01.2019.

3. 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, only on the basis of memorandum statement of the co-accused, the Applicant has been involved in the crime in question. The Applicant is in custody since 19.01.2019, charge-sheet has already been filed trial is likely to take some time. Therefore, she may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 19.01.2019, 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.
7. Accordingly, the bail application is allowed.
8. 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 for the like amount to the satisfaction of the Trial Court for her appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge