

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 876 of 2019

- Smt. Prabha Mishra W/o Shri Ravishankar Mishra, Aged About 40 Years, R/o Nagpur, Police Station Podi, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Podi, District Koriya Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant – Ms. Meena Shastri, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-06-2019

1. Apprehending arrest in connection with Crime No.62/2019, registered at Police Station – Podi, District Koriya, Chhattisgarh for offence punishable under Section 294, 506, 452, 34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant for commission of offence under Section 452 of the IPC, which is a non-bailable offence, rest of the offences registered are bailable in nature. Therefore, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged, on the date of incident the applicant along with her sons forcefully entered into the house of the complainant where the complainant was abused and threatened. Hence, this case.
6. After considering nature of the case and allegation against this applicant and also regarding the evidence in support of the offence registered under

Section 452 of the IPC, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge