

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3750 of 2019

- Jaspati W/o Manohar Cherva, Aged About 51 Years, R/o Badki Mehri, Balrampur, Police Station- Balrampur, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station- Balrampur, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Chitendra Singh, Advocate.

For Non-applicant/State – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 11-07-2018 in connection with Crime No.122/2018 registered at P.S. - Balrampur, District Balrampur-Ramanujganj, Chhattisgarh for the offence under Section 294, 323, 506, 302, 34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in jail since 11-07-2018. No case is made out against her. Therefore, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On the date of incident complainant Devsai was tilling the disputed agricultural field because of which this applicant came out and she tried to restrain the complainant from tilling the land, in the meanwhile co-accused persons came armed with clubs, used abusive language and then started beating complainant Devsai. Deceased Narendra Cherawa @ Kanta came to

intervene who was also beaten by the co-accused persons and was severely injured. The deceased died during the course of treatment. Hence, this case.

6. On perusal of entire material present in the case diary, it appears that the role of this applicant is different compared with the role of the co-accused persons regarding which no comment can be made at this stage, however, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge