

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4662 of 2019

Monu @ Sandhya @ Aarti Sahu, W/o. Sanjay Sahu, Aged About 21 Years,
R/o. Accholi, Rajnandgaon, At Present R/o L.B. Nagar, Out Post - Chichola,
District - Rajnandgaon Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station - Chhuriya, District -
Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For Respondent/State	: Mr. Jitendra Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/08/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.247/2018, registered at Police Station – Chhuriya, District – Rajnandgaon (C.G.) for the offence punishable under Section 294, 323, 506, 307/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 19.02.2019. No case is made out against this applicant regarding commission of offence of attempt of murder. It is only

allegation against her that she assaulted the complainant with hands and fists during the heat of the arguments. Charge-sheet in this case has been filed after completion of investigation. Therefore, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that this applicant was the active participant with the co-accused persons in furtherance of common intention for commission of offence, therefore, she is not entitled for grant of bail.
4. According to the prosecution case, on the date of incident complainant Chetan Lal Singh came to the house of this applicant. It is alleged that this applicant and one co-accused Usha Sahu abused and threatened the complainant and then assaulted him with hands and fists. During the course of this incident one Daya Shankar arrived armed with a rod, who assaulted the complainant causing him fracture on his skull. Thereafter, the FIR has been lodged.
5. Considered on the submissions made and the contents of the case diary. After considering the facts and circumstances of the case and for the reasons that now the case is pending for trial and this applicant is a woman, therefore, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that 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 trial Court, for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram