

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5559 of 2019**

- Smt. Janki Bai W/o Shiv Narayan Aged About 43 Years Caste Teli, Occupation House Wife, R/o Kasra (Chhatta Sarai), Police Station Patna, District Korea, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer - Police Station, Patna, District - Korea, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Sumit Singh Rathore, Adv.
For Respondent/State	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.10.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 83/2019 registered at Police Station Patna, District Korea (C.G.) for the offence punishable under Sections 302, 323/34 of IPC.
2. The prosecution story, in brief is that on 27.04.2019, at about 12.00 PM., in village Kasara, the complainants namely, Matallu Sahu, Bablu and Ambika Sahu went to the house of Shiv Narayan (co-accused), where they demanded back the dowry articles given to the son of Shiv Narayan, and after some time, their dispute changed into quarrel. In between, co-accused Suraj Sahu (Son of Shiv Narayan) assaulted the deceased Ambika Sahu with an axe, due to that he died. After completion of investigation charge-sheet

has been filed and charges were framed against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 28.04.2019, therefore, the present appellant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 28.04.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court.

**Sd/-
(Rajani Dubey)
Judge**