

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6097 of 2019**

- Madkam Pojje D/o Bhima Aged About 22 Years, R/o Village Mandulguda Ligapur, Police Station Usoor, District- Bijapur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The Police Station Usoor, District- Bijapur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Madhunisha Singh, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19.11.2019**

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. 12/2018 registered at Police Station Usoor, District-Bijapur (C.G.) for the offence punishable under Sections 148, 341/149, 506-(Part-2), 395, 435/149 of the IPC and 25 (1-B)(A) of the Arms Act and 4 (B) of the Explosive Substances Act.
2. The prosecution story, in brief is that, on 06.11.2018 the present applicant along with other co-accused persons armed with weapons gathered at Usoor Avapalli road and created an obstruction by cutting trees, thereby stopping a bus belonging to Kushwaha travels bearing registration No. CG-17-SS-6152. The applicant along with other co-accused persons assaulted the driver of the bus as well as the passengers and threatened them. Thereafter, the accused persons looted Rs. 25,000 from the driver of the bus Suresh Tiwari and Rs. 10,000 from the complainant Masu Netam. The present applicant and other co-accused ablaze

the bus and planted explosives substances. Based on this offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the age of the applicant is about 22 years and have no previous criminal antecedent and there is no evidence against the present applicant. The applicant is in jail since 15.04.2019, there is no likelihood of her case being decided in near future, therefore, the present applicant 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, detention period of applicant and further considering the facts that the age of the applicant is about 22 years and there is no evidence against the present applicant. The present applicant is in jail since 15.04.2019 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**