

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6429 of 2019**

- Smt. Rajni Sarkar W/o Nitesh Sarkar Aged About 37 Years R/o House No. 792, Hanuman Nagar In Front Of Indoor Stadium, Police Station Mohan Nagar, Durg, District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Mohan Nagar, Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shikhar Bakhtiyar on behalf of Mr. B.P. Singh, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 291/2019 registered at Police Station – Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Section 306 of IPC.
- The prosecution story in brief is that, on 05.08.2019, Smt. Neha Sarkar, elder sister-in-law of the applicant, has set her on fire and she was admitted in Section-9 Hospital, Bhilai for her treatment and during the course of treatment, a dying declaration was recorded by Executive Magistrate, in which, she narrated the reason for committing suicide, there was quarrel took place between the injured and the applicant. It is further the case of prosecution that during the treatment, injured died on 08.08.2019. Thereafter, offence has been registered against the applicant and the applicant was arrested 08.08.2019.

- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that the applicant is in jail since 08.08.2019, there is no previous antecedent against her, therefore, the present applicant may be released on bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that the accused is a lady and she is in jail since 08.08.2019 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.
- Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the said Court on each and every date given to her by the said Court.

Sd/-
(Rajani Dubey)
Judge