

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1708 of 2019**

- Minakshi, W/o Ishwar Rajwade Aged About 28 Years R/o. Village Kachani, P.S. Urga, District Korba, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Torwa, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri T.K. Jha, Advocate.
For Respondent/State	: Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**08/11/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 421/2017 registered at Police Station Torwa, District – Bilaspur, (C.G.). for the offence punishable under Sections 115, 115(2) & 120-B/34 of Indian Penal Code.
2. As per the prosecution story, on 10.12.2017 a secret information has been received to the police officials that one Lakhan Lal Kashyap, resident of Mulmula have a Batandar chaku (knife). Thereafter, police raided Lakhan Lal and found him in possession of one knife, cash of Rs. 26,560/- and one unnumbered motorcycle. It was disclosed by Lakhan Lal that present Applicant is the ex-fiancee of his Uncle Ashish Kashyap. Later on, marriage of the Applicant was solemnized with another person. Thereafter, Ashish Kashyap made a criminal conspiracy for committing murder of husband of the Applicant. On the basis of the said, offence has been registered. After completion of investigation, charge-sheet has been filed against 8 accused persons.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that, there is nothing on record on the basis of which it can be said that present Applicant is involved in crime in question. All the other co-accused persons have already been charged and after trial all of them have been acquitted. Since, no case is made out against present Applicant, therefore, she may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, and further considering the fact that charge-sheet has been filed and after trial all the other co-accused persons have already been acquitted by the trial Court, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, she shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. She shall also abide by all the following terms and conditions :
 - (i) She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court,
 - (ii) She shall not act in any manner which will be

prejudicial to fair and expeditious trial, and

- (iii) She shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge