

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6840 of 2019**

- Usha Sahu D/o Durga Ram Sahu, aged about 40 years, R/o Lal Bahadur Nagar, Out Post – Chichola, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Out Post – Chichola, Police Station Chhuriya, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	:	Shri Samir Singh, Advocate
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.247/2018, registered at Police Station – Chhuriya, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 307, 506, 323/34 IPC.
2. The prosecution story, in brief, is that on the date of incident, complainant Chetan Lal Singh came to the house of co-accused Monu @ Sandhya @ Aarti Sahu. The applicant and co-accused Monu abused, threatened and assaulted the complainant with hands and fists. During the course of this incident, one Daya Shankar arrived at the spot armed with rod and assaulted him causing fracture on his skull. Based on this, offence has been registered. The present applicant has been taken into custody on 15.07.2019.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that no case is made out against this applicant regarding commission of offence of attempt of murder. The only allegation against her is that she assaulted the complainant with hands and fists during the heat of argument and it is the accused Daya Shankar who assaulted the complainant by rod. He also submits that vide order dated 16.08.2019 passed in M.Cr.C.No.4662/2019, the co-accused has been granted bail by this Court. It is next submitted that the applicant is in custody since 15.07.2019, charge sheet has been filed and there is no likelihood of her case being decided in near future. Therefore, she may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that co-accused has already been granted bail by this Court, the applicant is in custody since 15.07.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge