

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1656 of 2018**

1. Ramratan Mandle, S/o. Guptaram Mandle, Aged About 60 Years
2. Smt. Girija Bai Mandle, W/o. Ramratan, Aged About 55 Years, R/o. Village Pendarwani, Post Diwanbedi, Police Station Tumdibod, District Rajnandgaon Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station Lal Bag, Chowki Tumdibod, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants	: Mr. Manoj Mishra, Advocate on behalf of Mr. K.K. Singh, Advocate
For Respondent/State	: Mr. Rahul Tamaskar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/01/2019**

1. Apprehending arrest in connection with Crime No.422/2018, registered at Police Station – Lal Bag, Chowki Tumdibod, District – Rajnandgaon (C.G.) for offence punishable under Section 498-A, 294, 323, 506/34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. At the very outset, learned counsel for the applicants prays to withdraw the application for applicant No.1 – Ramratan Mandle, hence, his application is dismissed as withdrawn. However, the concerned trial Court is directed to consider on the regular bail application of the applicant, if the, applicant surrenders and applies

for regular bail before the concerned Court below and decide the same as far as practicable on the same day.

3. It is submitted on behalf of the applicant No.2, that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary and she is a woman. Hence, for this reason, it is prayed that the applicant may be enlarged on anticipatory bail.
4. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. Considered the submissions and the contents of the case diary. After considering on the entire material present in the case diary, particularly the evidence i.e. against the applicant No.2, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant No.2.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. It is directed that in the event of arrest of the applicant No.2 in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;

- (ii) that the applicant 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 facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram