

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 322 of 2020**

- Bindiya Bai Manjhar W/o Shri Rammapat Ram Manjhar Aged About 28 Years R/o Village- Satrenga, Police Station- Balco Nagar, Korba, Civil And Revenue District- Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Lemaru, Civil And Revenue District- Korba, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. P.M. Shriwas, Advocate.
For Respondent	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.02.2020**

- The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 20/2019 registered at Police Station : Lemaru, Korba (C.G.) for the offence punishable under Sections 294, 506, 323, 307, 34 of the IPC.
- The prosecution story in brief is that, the complainant lodged a report against the unknown person before the concerned police station alleging that, on the date of incident, at about 8.00 A.M., he reached near the place of incident and heard the sound of groaning of the injured person. On being asked, victim told about the incident that someone has assaulted him with the help of stone. After completion of investigation accused Jaylal Shriwas @ Sarju has been arrested and on the basis of statement of the victim/injured, present applicant

has also been arrested. The allegation against the present applicant is that she has helped the main accused in the crime in question.

- Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He would further submit that the main allegation of the crime in question is against co-accused Jaylal Shriwas @ Sarju and he has nowhere mentioned the name of the present applicant in his 164 Cr.P.C. statement. The present applicant is in jail since 23.11.2019 and she is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, she may be released on bail.
- On the other hand, State counsel strongly opposes the bail application of the applicant and submits that the victim in her 164 Cr.P.C statement specifically stated that, the present applicant, who is the wife of victim/injured, has helped the main accused in the crime in question. Furthermore, the victim got incised wound which are grievous in nature, therefore, she may not be granted bail.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, particularly, the fact that the main allegation is against co-accused Jaylal Shriwas @ Sarju, as 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 local 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

Vijay Sahu