

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 563 of 2020**

- Vimla Dewangan W/o Shri Rajesh Kumar Dewangan Aged About 35 Years R/o Village Pasla (Panikapara), Police Station And Tahsil Surajpur, District Surajpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Surajpur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For Respondent	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.03.2020**

- 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. 227/2019 registered at Police Station : Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 302, 294, 506-B, 323/34 of the IPC.
- The prosecution story in brief is that, the complainant lodged a report against the applicants alleging that Rajesh Panika and his wife were tilling the field of deceased Sukham Sai and when he asked them as to why they are sowing in his part of the land, they started assaulting him as a result of which he died.
- Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. The

present applicant is a 35 years old lady and the only allegation against her is that she assaulted the deceased with the help of clay pacs and stone. He would further submit that the main allegation of the crime in question is against co-accused Rajesh Panika. He next submitted that the other co-accused person namely Jansay Panika has been granted bail by this Court on 09.12.2019 in MCRC No. 6729/2019, the present applicant is in jail since 22.08.2019 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.
- 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 Rajesh Panika, 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