

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1433 of 2020**

Hemlata Yadu, daughter of Basant Yadu, aged about 28 years, resident of Naya Tikrapara, Khairagarh, Police Station – Khairagarh, District Rajnandgaon (C.G.)
(In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station – Amleshwar, District Durg (C.G.)

----Non-applicant

For Applicant	: Mr. Sanjay Kumar Agrawal, Advocate.
For Respondent/State	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/05/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 10/2020 registered at police Station Amleshwar, District Durg (C.G.) for the offence punishable under Sections 307, 34, 120(B) of Indian Penal Code and Sections 25 & 27 of the Arms Act.

(2) Case of the prosecution, in brief, is that applicant was having love affair with victim namely Shailendra @ Monu Yadave since last 1 ½ years and thereafter dispute arose between them, due to which, applicant called his cousin and assaulted the victim, as a result of which, he (victim) suffered grievous injuries, which were sufficient to cause his death.

(3) Counsel for the applicant submits that the applicant has been falsely implicated

in the crime in question on account of failure of relationship between applicant and the victim. He submits that the applicant has been arrested on 22.01.2020 and the trial is likely to take some time for its final disposal and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence, further considering fact that applicant has been arrested on 22.01.2020 and 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 bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court till disposal of the trial.

(7) It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

(8) Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

