

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2048 of 2020

- Ku. Rekha Panika D/o Late Shri Shyam Panika, Aged About 21 Years R/o Mangala Chowk, Civil Line (Wrongly Mentioned As Kotwali), Bilaspur, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through - Station House Officer, Police Station Rajendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Shri Amiya Kant Tiwari, Advcoate
For Respondent/State	: Shri Anand Verma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/06/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 83/2020 registered at police station Rajendra Nagar, district Raipur (CG) for the offence punishable under Sections 4,5 and 7 of the PETA Act and Section of the Arms Act.

As per prosecution case, on receiving secret information that some unknown persons were doing illegal activities at Prem Park Mahavir Nagar, police raided and seized knife and Rs. 1,000/- from one Saraswati Manikpuri and arrested the applicant and other accused persons for the aforesaid offences.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the applicant is in jail

since 26.02.2020; charge sheet has been filed; the offence is triable by Magistrate and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release her on regular bail. Accordingly, her application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, she shall be released on bail.

It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnishing 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), she 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 she has not furnished the bail bonds earlier, then she will be required to furnish bail bonds within four weeks' from today.

Sd/-
(Rajani Dubey)
Judge

