

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3686 of 2020**

1. Pusaiya Pali W/o Chhabilal Pali Aged About 45 Years R/o Village Khaira, Police Station Kunda, District Kabirdham, Chhattisgarh.
2. Bindi Pali W/o Shrichan Pali Aged About 45 Years R/o Village Patharra Police Station Pipariya, District Kabridham, Chhattisgarh.
3. Jaleshwari Pali W/o Duryodhan Pali Aged About 42 Years R/o Village Podi, Police Station Bodla District Kabirdham, Chhattisgarh.
4. Champa Pali W/o Balla Pali Aged About 40 Years R/o Village Podi Police Station Bodla District Kabirdham, Chhattisgarh
5. Dulari Bai W/o Anil Pali Aged About 35 Years R/o Village Podi, Police Station And Tahsil Bodla District Kabirdham, Chhattisgarh
6. Sarojani Pali D/o Jalle Pali Aged About 30 Years R/o Koylari Poice Station Pipariya, District Kabirdham, Chhattisgarh,

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Bodla, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Amit Kumar, Adv.
For Respondent/State	:	Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/07/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 114/2020 registered at Police Station-Bodla, District-Kabirdham (C.G.) for the offence punishable under Sections 294, 447, 427, 395 and 188 of the IPC.
4. The prosecution story, in brief is that, on 24.05.2020 at about

1:30 AM., when the complainant was sleeping in his home then he saw that the applicants and co-accused persons were broken his shop, thereafter, the complainant was trying to prevent them in which the applicants and co-accused persons were abuses with filthy language and was trying to assault with sword. Due to which the complainant anyhow fled away from the spot. After some time when the complainant along with his son and other person, reached to the spot then he found that the applicants and co-accused have broken his shop and taken the cash amount of Rs. 2,00,000/-. Based on this, offence has been registered against the present applicants.

5. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that there is a previous dispute and the Kaichu Pali who is the relative of the applicants lodged an F.I.R. against the complainant, due to this, the complainant lodged a false report against the present applicants. He next submits that the all applicants are ladies and in jail since 24.05.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant them bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the all applicants are ladies and they are in jail since 24.05.2020 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 applicants on bail. Accordingly, the application is allowed.
9. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction

of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

10. It is made clear that if the applicants have 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), they 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 they have not furnished the bail bonds earlier, then they shall be required to furnish bail bonds within four weeks from today.

**Sd/-
(Rajani Dubey)
Judge**