

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4681 of 2020**

- Pratibha wife of Ramkumar Sahu, aged about 48 years, resident of village Bilari, Police Station Shivrinarayan, District Janjgir-Champa (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through : The Station House Officer, Police Station Shivrinarayan, District Janjgir-Champa (C.G.)

---- Respondent

For Applicant	:	Shri Sumit Singh, Advocate
For Respondent	:	Ms. Sunita Jain, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/09/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.150/2020 (wrongly mentioned as Crime No.350/2020 in the impugned order), registered at Police Station - Shivrinarayan, District Janjgir-Champa (C.G.) for the offence punishable under Section 307 IPC.
2. The prosecution story, in brief, is that the complainant informed at police station, Shivrinarayan that his maternal uncle namely Ramkumar told him to go to village Bilari and to see his (complainant's) mother and when he reached village Bilari, he saw the victim was lying in pool of blood and was not able to talk. During investigation, memorandum statement of applicant was recorded, based on which, one axe was seized from the present applicant. Based on this, offence has been registered. The present applicant has been taken into custody on 11.06.2020.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that only on the basis of memorandum statement and seizure of axe, the present applicant has been arrested. He also submits that the matter has been compromised, the present applicant is in custody since 11.06.2020, charge sheet has been filed and there is no likelihood of her case being decided in near future. Therefore, she may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that the victim is aged about 75 years and she remained in hospital for nine days.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the present applicant is in custody since 11.06.2020, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge