

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5069 of 2020

- Smt. Lata Bai Sahu, W/o. Ghanshyam Sahu, Aged about 36 years, R/o. Near Shankar Masndir, Telagu Para, Tanki Maroda, Thana Newai, Tahsil/District Durg CG

---- Applicant

Versus

- State Of Chhattisgarh, Through District Magistrate Durg, District Durg CG

---- Respondent

For Applicant : Shri Ganesh Ram Burman, Advocate
For Respondent /State : Shri Rahul Jha, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

19/08/2020

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. 181/2019 registered at police station Newai, Bhilai, District Durg (CG) for the offence punishable under Sections 380 and 457 IPC.

As per prosecution case, report was lodged by the complainant alleging that the applicant has committed theft of gold chain from the lock of the almirah at his house.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that the applicant is seriously ill and her condition is critical therefore she has been

admitted in the hospital by the jail authorities. He submits that the applicant is in jail since 15.06.2020; charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore she may be released on bail.

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 and that her condition is critical and admitted by the jail authorities in ICU, 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,s he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge