

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7433 of 2019**

- Kalindri Bai W/o Shrilswari Satnami Aged About 34 Years Caste - Satnami, R/o Village - Jhalmala, Police Station - Pipariya, Civil And Revenue District - Kabirdham Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Kabirdham Civil And Revenue District - Kabirdham Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. P.M. Shriwas, Advocate.
For Respondent/State	:	Mr. Anurag Verma, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.01.2020**

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 150/2019 registered at Police Station : Pipariya, District Kabirdham (C.G.) for the offence punishable under Sections 294, 323, 506, 34, 302 of I.P.C.
2. As per the prosecution case, on 16.06.2019 at about 9.30 AM a quarrel arose between the parties and in the meanwhile, present applicant with co-accused Ishwari assaulted deceased Jagdish Satnami and others due to which Jagdish Satnami got grievous injuries and during treatment on 22.06.2019 he died. On the basis of that, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been

falsely implicated in the crime in question. He further submitted that on the date of incident, deceased was in drunken condition and he was hurling abuses to the family of applicant without any reason and when the applicant and co-accused warned the deceased to do so, the family members of the deceased came there and started assaulting them, then in their self defence, applicant and co-accused also started assaulting the deceased. Learned counsel next added that the deceased died after 5 days of incident and no dying declaration was recorded, therefore, since the applicant is a 34 years old lady and she is in jail since last six months, she may be released on bail.

4. On the other hand, State counsel strongly opposes the bail application submitting that deceased Jagdish Satnami has died due to grievous injuries, therefore, the present applicant may not be granted bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the detention period of the applicant, as 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 application is allowed.
7. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the said Court on each and every date given to her by the said Court.

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

Vijay Sahu