

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8087 of 2019**

- Mamta Chandrakar W/o Khilawan Aged About 38 Years, R/o Sisdevri, Police Station Palari, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Palari, District Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Satya Prakash Verma, Adv.
 For Respondent/State : Mr. Vinod Kumar Tekam, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 414/2019 registered at Police Station-Palari District - Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 302/34 of the IPC.
2. The prosecution story, is that on 23.10.2019 the complainant lodged a report that co-accused Khilawan Chandrakar was abusing to his family member in his house at that time, Pramod Kumar Chandrakar and his wife Mamta Chandrakar have assaulted to the Pramod Kumar Chandrakar with axe and stick, resulting of which, Pramod Kumar Chandrakar has died. Based on this, offence has been registered against the present applicant and other co-accused.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the main allegation is against the co-accused and the present applicant is a 38 years old lady. The applicant is in jail since 24.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the main allegation is against the co-accused and applicant is a 38 years old lady. The applicant is in jail since 24.10.2019 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 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 trial Court on each and every date given to her by the said Court.

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