

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8210 of 2019

- Ku. Megha Goyal D/o Mohan Goyal, Aged About 19 Years, R/o Near Dayalband Gurunanak School, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Sarkanda, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

----Non-applicant

For Applicant – Shri Ashish Shukla, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-01-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. The earlier bail application, MCRC No.4010/2019 was dismissed as withdrawn on 31-07-2019. The applicant has been arrested on 03-01-2019 in connection with Crime No.09/2019 registered at P.S. - Sarkanda, District - Bilaspur, Chhattisgarh for the offence under Section 302, 201, 365, 120-B, 328, 342/34 of the IPC.

2. It is submitted on behalf of the applicant that the applicant is in jail since more than one year and the trial is still not concluded. It is submitted that the applicant has not committed any offence and there is no direct evidence against her. Therefore, she is entitled for grant of bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is sufficient evidence present in the case diary against this applicant for the purpose of her prosecution for offence of murder. Therefore, she is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, the deceased and this applicant had an affair between them. It is alleged that on the date of incident this applicant summoned the deceased to her company and thereafter the deceased was administered some chemical and when he became unconscious the co-accused persons allegedly strangled him to death. Subsequent to which, the dead body was disposed off for the purpose of concealing the evidence of murder.

6. After considering on the entire material present in the case diary and the fact that this applicant is a young woman of age 19 years and also for the reason that trial against her is getting delayed, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge