

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 46 of 2021**

- Smt. Bindhvasani Wd/o Late Suryamani Basor, aged about 45 years, R/o Lalpur P.S. Manendragarh, District Koriya (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Incharge S.O. Police Station, Manendragarh, District Korea (C.G.)

---- Respondent

For Applicant : Ms. Usha Chandrakar, Advocate.
For Respondent. : Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/06/2021**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending her arrest in connection with Crime No.221/2020 registered at Police Station - Manendragarh, District Korea (C.G.) for commission of the offence punishable under Sections 294, 506, 323, 307, 34, 147, 148, 149 and 325 of Indian Penal Code.
2. Allegation against the present applicant is that at the time of incident she showed the torch and assaulted injured persons with stick. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that only allegation against the present applicant is that she showed the torch and

assaulted the victims. Learned counsel also submits that the name of present applicant does not find place in FIR. Her name come in the matter after three months of the incident when supplementary statements of the victim/injured were recorded. Therefore, the applicant may be granted anticipatory bail.

4. Counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, further considering the fact that her name came in the case after three months of the incident, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, she shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make herself available for interrogation/medical examination before the concerned investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge

pkd