

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3439 of 2021**

- Jyoti Dhakar, D/o Rajkumar Dhakar, aged about 22 Years, R/o Behind Pallav Bhawan, Behind M.R.I. Hospital, Police Station Civil Lines, Bilaspur, District Bilaspur (Chhattisgarh).

---Applicant**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station - Sakri, District Bilaspur (Chhattisgarh).

----Non-applicant

For Applicants	Shri C.K. Kesharwani, Advocate.
For State	Shri C.B. Kesharwani, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****20/07/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this application under Section 439 of Cr.P.C. as she has been arrested in connection with Crime No.132/2021 registered at Police Station Sakri, District Bilaspur, C.G. for the offence punishable under Section 115 of Indian Penal Code.
3. Allegation against the present applicant is that she sent photograph of complainant- Vikash Suryavanshi, his bike as well as photograph of cheque of Rs.1 lakh through whatsapp to the friend of the complainant namely Sheikh Shakir for committing

murder of the complainant. Sheikh Shakir informed about the same to the complainant on which a report was lodged on 05.04.2021 by the complainant, based on which the aforesaid offence has been registered against the applicant.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 05.04.2021, she was arrested by the police only on the basis of suspicion and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, applicant be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has no criminal antecedent.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation against the applicant, charge sheet has already been filed, the detention period of the applicant, who is 22 years old and the fact that the applicant has no criminal antecedent and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic, conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, she shall be released on bail on the following conditions:-

- (i) she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- (iv) she shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- (v) she shall not involve herself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving herself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh