

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 1629 of 2020

1. Bimla Bhagat W/o Shri Jaishankar Bhagat Aged About 50 Years Caste Uraou, Occupation House Wife, R/o Chidrapara, Tehsil Pathalgaon, District Jashpur Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Pathalgaon, District Jashpur Chhattisgarh
2. Jaishankar Bhagat S/o Sukhsai Bhagat Aged About 50 Years R/o Village Kukurbhuka.

At Present R/o Chidrapara, Ward No.07, Pathalgaon, Police Station Pathalgaon District Jashpur Chhattisgarh

---- Respondents

For Applicant	Mr. U.K.S. Chandel, Advocate
For Respondent /State	Mr. Ayaz Naved, Govt. Advocate
For Respondent No.2	Mr Anand Kesharwani, Advocate
	Respondent No.2-Jaishankar Bhagat is also present

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board27/01/2021

1. The applicant has preferred this application for grant of anticipatory bail, as she apprehends her arrest in connection with Crime No.68/2020, registered at Police Station Pathalgaon, District Jashpur, for the offence punishable under Section 307 of the Indian Penal Code.
2. Applicant has allegedly caused injuries over the person of her husband in the intervening night of 28th/29th April, 2020.

3. Albeit the injured had sustained serious injuries over his parietal & occipital region as also over right hand, but the fact remains that the incident occurred between the husband and wife and now the husband/injured, arrayed as respondent No.2, in the bail application, represented by his counsel Mr. Anand Kesharwani, has no objection to the applicant's release on anticipatory bail. Mr. Kesharwani, learned counsel, on instructions, would submit that the applicant is mentally imbalanced and the complainant is incurring expenditure of her treatment.
4. Considering the entire facts situation of the case, although in ordinary circumstances the applicant would not have been entitled for anticipatory bail, but since her own husband, who is the injured, desires to get her release on anticipatory bail due to her mental imbalance, this Court is inclined to release the applicant on anticipatory bail.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - she shall make herself available for interrogation by a police officer as and when required;
 - 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 facts to the Court or to any police officer.
 - she shall not influence the witnesses during pendency of the trial.

Sd/-
(Prashant Kumar Mishra)
Judge

Gowri