

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.8043 of 2021

Smt. Nalini Somkunwar W/o Ramesh Somkunwar Aged About 51 Years (Wrongly Mentioned As Sonkunwar In The Whole Impugned Ord Sheet), R/o Amleshwar Green Earth City, Police Station Amleshwar, District Durg Chhattisgarh. Presently Posted At P. T. I. Aadim Jati Kalyan Vibhag, Boys Higher Secondary School, Gariyaband, District Gariyaband Chhattisgarh. **---- Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Gariyaband, District Gariyaband Chhattisgarh. **---- Non-Applicant**

For Applicant: Shri Amit Kumar, Advocate.
For Non-Applicant/State : Shri Ishwar Jaiswal, PL.

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

28.10.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.262/2021 registered at Police Station – Gariyaband, District – Gariyaband, Chhattisgarh for the offence punishable under Sections 294, 323, 452, 506 and 307/34 IPC.
2. Prosecution case in brief is that Complainant's brother Kapil Dewangan got dashed with the car bearing registration No.CG 04 ML 6942 being driven by one Neeraj Sonkunwar due to which, a scuffle raised and the present Applicant has pulled his hair.
3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the crime in question and is in custody since 30.09.2021 and therefore, she may be released on bail.

4. Per contra, learned Counsel for the State opposed the bail application.

5. Considering the facts and circumstances of the case, the role played by the present Applicant, looking to the period of detention, nature of evidence and the trial is likely to take some time for its conclusion, I am inclined to grant regular bail to the Applicant.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that the Applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.10,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed. In case any default is committed by the Applicant in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Deepak Kumar Tiwari)
Judge

Priya