

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8998 of 2020**

- Smt. Godavari Bai Yadav, aged about 50 years, W/o Late Shri Mehttar Ram Yadav, by Caste Raut, R/o Village Amakda, (Schoolpara) Thana Bhanupratappur, Distt.- U. B. Kanker C. G.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Police Station Bhanupratappur, Distt.- U. B. Kanker (C.G.).

---- Respondent

For Applicant	: Shri Parag Kotecha, Advocate
For Respondent/State	: Mr. Vimlesh Vajpai, G. A.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****12/01/2021**

- 1) Heard
- 2) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as she is in jail since 19.08.2020 in connection with Crime No. 137/2020 registered at Police Station Bhanupratappur, District- Kanker (C.G.) for the offence punishable under Sections 302, 201, 177, 318, 34 of Indian Penal Code.
- 3) The prosecution story in brief is that deceased- Shashikala Yadav was having physical relation with many persons as a result of which she got pregnant and delivered a child. However, for fear of being defamed, she committed murder of that infant. Later on Shashikala also died due to excessive bleeding.

Allegation against the present applicant is that on 19.06.2020 in order to cause disappearance of evidence of the crime she buried the dead body of the infant in the kitchen garden of her house and gave false information to the police.

- 4) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He also submits that the applicant is aged about 50 years, the charge sheet has been filed, the applicant is in jail since 19.08.2020 and trial is likely to take some time for its final disposal, therefore, the applicant be released on bail by this Court.
- 5) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 6) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, charge-sheet has been filed, the fact that the present applicant is in jail since 19.08.2020, and trial is likely to take some time for its final disposal, the fact that the applicant has no criminal antecedent as admitted by both the counsels, without commenting upon merits of the case the application is allowed. It is directed that in the event of the applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- 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 not involve herself in any offence of similar nature in future.

Certified copy as per rules

Sd/-
(Gautam Chourdiya)
Judge