

Sarita Bai Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: July 13, 2018

Acts Referred: Indian Penal Code, 1860 " Section 147, 148, 294, 323, 326, 327, 506

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Sunita Jain, Chandresh Shrivastava

Final Decision: Disposed Of

Judgement

P. Sam Koshy, J

1. The applicant has filed this application for grant of anticipatory bail as she is apprehending her arrest in connection with Crime No.189 of 2017

registered at Police Station Newai, District Durg, for the offence punishable under Sections 147,148,294,506,323,326 and 327 IPC.

2. The allegation against the applicant as per prosecution is that, the applicant and other co-accused persons is said to have used foul language against

the complainant and thereafter is said to have also assaulted the complainant in which the complainant has received injuries.

3. According to the counsel for the applicant, the applicant has falsely been implicated in the case. Except for the present applicant, all the other co-

accused persons have been released on bail. The only role attributed by the applicant against the complainant is that of using foul language of calling

him drunkard (Bewda). Therefore, prays for release of the applicant on anticipatory bail.

4. This aspect has not been disputed by the counsel for the State.

5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case and also taking note of the

role attributed by the applicant, this court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is

allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety

for the like sum to the satisfaction of the officer arresting her and she shall abide by all the following terms and conditions:

1. That, the accused/applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required;

2. The accused/applicant 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/her from disclosing such facts to the Court or to any police officer;

3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

4. 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.

6. Certified copy, as per rules.