

(2018) 07 CHH CK 0301

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4389 Of 2018

Hira Bai

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: July 25, 2018

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 380, 458

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Anchal Kumar Matre, SRJ Jaiswal

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 17.04.2018 in connection with Crime No.115/2018 registered at Police Station City Kotwali, Dist: Raipur (CG) for the offence punishable under Sections 458 & 380 of IPC

2. As per the prosecution case, the present applicant facilitated the other co-accused for lurking and house trespass and stealing articles worth Rs.8 Lakhs. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that the other co-accused namely Sarik Khan and Shivkumar Sahu have been enlarged on bail on 10.07.2018 in M.Cr.C. Nos.3959 & 4283 of 2018 and the case of the present

applicant is similar to that of the co-accused. He further submits that no further investigation is necessary in this case, therefore, the applicant may be released on bail.

4. Learned State counsel do not dispute the fact that the similarly placed co-accused have been enlarged on bail.

5. Considering the facts of this case and also taking into that the similarly placed co-accused have been enlarged on bail, I am inclined to release the applicant on bail.

6. Accordingly, the application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given by the said Court.