

(2020) 03 CHH CK 0053

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 916 Of 2020

Mungbati Yadav

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 19-03-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 120B, 201, 302, 307, 323

Citation : (2020) 03 CHH CK 0053

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Vikash Shrivastava, K. K. Singh

Final Decision : Allowed

Judgement

@JUDGMENT-JUDGMENT

Prashant Kumar Mishra, J

1. The applicant has preferred this first bail application under Section 439 of CrPC, as she is arrested in connection with Crime No.24/2019, registered at Police Station Thana Barsoor, District Dantewada (C.G.), for the offence punishable under Sections 323, 307, 302, 120-B, 201 & 34 of IPC.

2. The applicant Mungbati Yadav was in love with Sadhu Kashyap.

The deceased Cham Singh also liked the applicant but she had no liking for him. It is alleged that the present applicant along with the co-accused Sadhu Kashyap, Sukhmati and Anil Yadav hatched a conspiracy to eliminate Cham Singh and in furtherance of the said conspiracy, they assembled near Bodhghat School. When the deceased reached to that place, they took him near Hitameta road and committed his murder by assaulting him by means of axe and club.

3. The case of the prosecution is based on circumstantial evidence.

The applicant, a young girl, aged about 20 years, is in jail since 22.10.2019.

4. Learned State counsel would oppose the prayer for grant of bail.

5. Considering the fact that the trial may take some time due to unprecedented COVID-19 pandemic, as also for the reason that the applicant is a young girl, I am of the opinion that the present is a fit case to release the applicant on regular bail.

6. Accordingly, the bail application is allowed. The applicant is directed to be released on bail on her executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount 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.