

MCRC-18270-2016

(SMT. HARCHAT BAI CHOUDHARY Vs THE STATE OF MADHYA PRADESH)

27-10-2016

Shri Ranjeet Sen, Advocate for the applicant.

Ms. Hemlata Kshatriya, Panel Lawyer for the respondent-State.

Case diary is available.

With the consent of the parties the case is heard finally.

This is the first bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail.

The applicant is in custody in connection with Crime No.513/2016, registered at Police Station Ranjhi, Jabalpur, for the offence punishable under Section 34 (2) of M.P. Excise Act.

Learned counsel for the applicant submits that 50 years old lady applicant is innocent and has falsely been implicated in this case. It is further submitted by the learned counsel for the applicant that after murder of her son the offenders are trying to falsely implicate the applicant in some offence so as to compromise the matter. It is also pointed out that the investigation has been completed and challan has already been filed. The offence is triable by Magistrate of First Class. The applicant is in custody since the date of her arrest i.e. 26.09.2016. In view of the aforesaid, prayer is made to enlarge the applicant on bail.

On the other hand, learned Panel Lawyer for the respondent-State has vehemently opposed the application for grant of bail.

Looking to the facts and circumstances of the case, without expressing any view on merits of the case and considering the averments made by learned counsel for the parties, the application under Section 439 of Cr.P.C. may be accepted. Consequently, it is hereby allowed.

It is directed that the applicant-**Smt. Harchat Bai Choudhary**

be released on bail on furnishing a personal bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one solvent surety in the like amount to the satisfaction of the Committal Court/trial Court to appear before the concerned Court on the dates given by the concerned Court during trial.

C.C. as per rules.

(SUBHASH KAKADE)
JUDGE

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