

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3305 of 2015**

Bhanumati Rathiya, W/o Etwar Singh Rathiya, aged about 40 years, R/o Jamjhor, Tahsil and P.S. - Kharsiya, Civil & Revenue Distt. Raigarh (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station Kharsiya, Distt. Raigarh (C.G.)

---- Non-Applicant

For Applicants:	Shri Awadh Tripathi, Advocate.
For Non-Applicant/State:	Shri Ramakant Mishra, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.164/2015 registered at Police Station – Kharsiya, Distt. Raigarh for the offences punishable under Sections 379, 302, 201, 120-B/34 of the Indian Penal Code.

(2) As per case of the prosecution, applicant & two other co-accused persons are alleged to have strangled deceased –

Etwar Singh by rope and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that it is the other co-accused persons namely Radhe & Shanta Kumar, who have allegedly strangled the deceased by rope and, as such, the applicant has falsely been implicated in the offence in question. He further submits that applicant is in jail since 22.04.215; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application and submits that the applicant has actively participated in the offence in question and, therefore, she is not entitled to be released on bail.

(5) Looking to the nature and gravity of the offence; and the manner in which the applicant & other co-accused persons are alleged to have caused murder of deceased Etwar Singh; I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-