

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3744 of 2015

1. Rambai Nishad (wrongly mentioned as Rambai @ Nishad), W/o Indraman Nishad, aged about 65 years,
2. Bharti Nishad, W/o Ramesh Nishad, aged about 27 years,

Both R/o Village Keshdabri, Police Station and Tahsil Saja, Civil and Revenue District Bemetara (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Police Station Saja, Civil and Revenue District Bemetara (C.G.)

---- Non-applicant

For Applicants:	Mr. U.K.S. Chandel, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/08/2015

1. The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.103/2015 (Criminal Case No.436/2015 pending in the Court of Judicial Magistrate First Class, Saja), registered at Police Station Saja, Distt. Bemetara, for the offence punishable under Section 306 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicants and three other co-accused instigated Laxmi Bai to commit suicide and thereby she committed suicide on 17-10-2014.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicants submits that the applicants have not committed any offence, they have been falsely implicated in the case and

they are in custody since 26-6-2015. In fact, applicant No.1 is mother and applicant No.2 is wife of Ramesh Nishad who had unauthorizedly brought deceased Laxmi Bai in their house which was opposed by the applicants and thereafter, Laxmi Bai committed suicide on 17-10-2014 for which the applicants have been falsely implicated. The applicants being women are in jail since 26-6-2015 and charge-sheet has already been filed.

5. On the other hand, learned State counsel opposes the application.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants, the fact that the applicants are mother and wife of Ramesh Nishad and are women, pre-trial detention of the applicants and the fact that charge-sheet has already been filed, I am of the view that it is a fit case to grant regular bail to the applicants. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge