

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4647 of 2015

1. Rani Bai, W/o Arjun Sanwara, aged about 30 years,
2. Naina Bai, W/o Mahesh Sanwara, aged about 32 years,
3. Nakchholi Bai, W/o Shobha Sanwara, aged about 35 years,

All above R/o Village Surajpur, Akala, Police Station Kunda, Civil and Revenue District Kabirdham (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Station House Office, Police Station Kunda, Civil and Revenue District Kabirdham (C.G.)

---- Non-applicant

For Applicants:	Mr. Janak Ram Verma, Advocate.
For Non-applicant:	Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/09/2015

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.44/2015 {ST No.28/2015 pending in the Court of Additional Sessions Judge, Kabirdham (Kawardha)}, registered at Police Station Kunda, Distt. Kabirdham, for the offence punishable under Sections 302 read with Section 149, 147, 148, 294 and 323 read with Section 149 of the IPC.
2. Case of the prosecution, in brief, is that on 30-3-2015 the applicants along with seven co-accused persons assaulted Sahdev by wooden stick, iron rod and sharp edged weapon by which he suffered death.
3. Learned counsel for the applicant submits that the applicants have not

committed any offence and they have been falsely implicated in the crime in question. The present applicants are women, they have not assaulted the deceased, they have assaulted only Ramkali, wife of the deceased, who came on the spot to save the life of the deceased and as such, injuries suffered by Ramkali are simple in nature, and they being relatives are in detention with effect from 18-5-2015 and charge-sheet has already been filed, therefore, they be released on bail.

4. On the other hand, learned State counsel opposes the application.
5. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, testimony of Ramkali, recovery of wooden stick & iron rod and role attributed to the present applicants, I do not consider it a fit case for grant of regular bail to the applicants. The application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge