

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4331 OF 2015**

Pili Bai W/o Chandra Prakash Banjare aged about 38 years R/o village Jorapali P.S. Sarshiwa Civil and Revenue Distt. Balodabazar-Bhatapara (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through S.H.O., Police Station Sarshiwa, Distt. Balodabazar-Bhatapara (C.G.).

---Non-applicant

For Applicant	:	Mr. A.S. Rajput, Advocate.
For-Non-applicant	:	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/09/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 217/2014, registered at Police Station Sarshiwa, Distt. Balodabazar-Bhatapara (C.G.), for the offence punishable under Sections 294, 323, 324, 325, 506, 302/34 of I.P.C.

2. Case of the prosecution, in brief, is that, applicant and her husband assaulted the deceased Kunjram by iron rod and axe, by which, he suffered injuries and died.

3. Learned counsel for the applicant would submit that applicant's daughter has been raped by the nephew of the deceased, therefore, she has been falsely implicated by lodging FIR on 16/12/2014. He would further submit that applicant is in jail since 18/12/2014 and no useful purpose would

be served by keeping her in jail. He would lastly submit that charge sheet has been filed, therefore, she may be released on bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that axe has been recovered from the possession of present applicant.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; statements of Ms. Sumitra Bai & Chhatram and consequent recovery of axe from the possession of present applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected. However, trial Court is directed to expedite the trial and decide the case as early as possible.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE