

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5160 of 2015**

1. Smt.Subchuni @ Subachni W/o Shri Bajrang, aged about 38 years,
 2. Smt.Chinta Devi W/o Shri Sakindra @ Bablu, aged about 28 years,
- Both are R/o Village Bulgaon, Police Station : Ramanujganj, District Balrampur (CG)

---Applicants**Versus**

State of Chhattisgarh, Through: Police Station: Ramanujganj, District : Balrampur (CG)

---Non-applicant

For Applicants	:	Mr. Sushil Dubey, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

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 applicants who have been arrested in connection with Crime No.87/2015, registered at Police Station-Ramanujganj, District Balrampur (C.G.), for the offence punishable under Sections 294, 506, 323 and 307/34 of the IPC.
2. Case of the prosecution, in brief, is that on 2.7.2015 the applicants and other two co-accused persons Bajrang and Bablu assaulted Sohan and Nanku Ram by which they suffered grievous injuries, which were sufficient to cause their death and thereby committed the aforesaid offences.
3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that there is no allegation against the present applicants that they have assaulted by wooden stick, they are women and are in jail since 13.7.2015 and charge-sheet has already been filed and

therefore, they may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that assault was made by co-accused Bajrang and Bablu by sticks and the present applicants assaulted by hands and fists. He would further submit that the injuries were grievous in nature.

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; the applicants are woman, their role and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants **Smt.Subchuni @ Subachni** and **Smt.Chinta Devi** shall 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 trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-