

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.384 of 2016

Rambai @ Lallu, W/o (late) Raspati Pal, aged about 45 years, R/o Village Sarbhoka, Thana and Tehsil Patna, District Korla (Chhattisgarh), Present R/o Pandopara, New Minus Quarter No.893, Police Station Patna, Tehsil Patna, Revenue and Civil District Korla (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Officer-in-Charge, Police Station Patna, Civil and Revenue District Korla (C.G.)

---- Non-applicant

For Applicant:	Mr. Mahendra Dubey, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.177/2015, registered at Police Station Patna, Distt. Korla, for the offence punishable under Sections 302, 201 and 120B of the IPC.
2. Case of the prosecution, in brief, is that the applicant along with two co-accused persons Sukhlal and Vijay murdered deceased Raspati on 9-10-2015 by axe and thereby committed the offence.
3. Learned counsel for the applicant would submit that the present applicant is wife of deceased Raspati and she has no role in the crime in question, as there is no overt act against the present applicant and it is Sukhlal and Vijay who are said to have made assault on the deceased by axe by which the deceased suffered injuries and there is

no evidence of conspiracy against the present applicant that she has made payment of Rs.50,000/- for killing her husband Raspati.

4. On the other hand, learned State counsel would oppose the application and would submit that it is the applicant who planned the murder of her husband, the deceased, as she was in the habit of consuming liquor and in order to get employment for her son Vijay in South Eastern Coalfields Limited for the reason that deceased Raspati was SECL employee, she has conspired and killed her husband, therefore, she is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant qua the role of other accused persons and evidence available in the case diary, I am not inclined to grant bail to the applicant. The application is, therefore, rejected.

Sd/-
(Sanjay K. Agrawal)
Judge