

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1171 of 2016**

1. Hulas Sahu, son of Feru Sahu, aged about 30 years,
2. Taran Bai, w/o. Hulas Sahu, aged about 28 years,

Both R/o. Navagaon Kala, P.S. Khamhariya, District Bemetara
(C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through The Station House Office,
Police Station Bemetara (C.G.)

---- Non-applicant

For Applicant: Mr. Uttam Pandeyl, Advocate.
For Non-applicant/State: Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****06/04/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 20/2015 registered at Police Station Khamhariya, District Bemetara (C.G.) for the offence punishable under Sections 294,323,506(B),307 & 302/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicants and one other co-accused person assaulted complainant Dani Sahu (since deceased) by wooden stick and hand & fist, by which she succumbed to her injuries and thereby committed the aforesaid

offence.

(3) Learned counsel for the applicant submits that the applicants have falsely been implicated in the case as they have not committed any offence. He further submits that applicants are in jail since 21.10.2015 & 02.12.2015, respectively and the charge sheet has already been filed , and therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence and the manner in which the complainant Dani Sahu is said to have been murdered by the applicants along with one co-accused person; I am not inclined to release the applicants on bail. Thus, the bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-