

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.60 of 2016

Smt. Bholi Bai, W/o Shri Dhaneshwar Korwa, aged about 18 years, R/o Village Dhabaipani, Post Kodma, P.S. Udaypur, Civil & Revenue District Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station Udaypur, District Surguja (C.G.)

---- Non-applicant

For Applicant:	Mr. Sunil Sahu, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Deputy G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/02/2016

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.50/2015, registered at Police Station Udaypur, Distt. Surguja for the offence punishable under Sections 302 and 201 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 13-5-2015, co-accused Saniram murdered deceased Chamru and with the help of other four accused persons including the present applicant, caused disappearance of the dead body with intention of screening other accused from legal punishment and thereby committed the offence.
3. Learned counsel for the applicant submits that it is Saniram who has caused murder and the present applicant has no role to play in the offence in question, at the most, offence under Section 201 read

with Section 34 of the IPC is made out against the applicant and there is nothing to connect the applicant with the offence in question.

4. On the other hand, learned State counsel opposes the application.
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 and the manner in which the co-accused has murdered the deceased and the present applicant along with other co-accused caused disappearance of dead body by throwing the dead body in dense forest, I am not inclined to grant bail to the applicant. Consequently, the application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma