

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4445 of 2016

1. Gosiya W/o Wali Mohammed, Aged About 55 Years,
2. Ruksana @ Rehana D/o Wali Mohammad Aged About 30 Years
Both R/o Kasaridih, Near Raza Fireworks, Durg, District Durg,
Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through P.S. Kotwali, Durg, District Durg,
Chhattisgarh.

---- Respondent

For applicants - Shri Maneesh Sharma, Advocate.

For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/08/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.147/2016 registered in Police Station Kotwali, Durg (C.G.) for offence punishable under sections 302, 307 read with 34 of Indian Penal Code.
2. As per the prosecution case, on 14/02/2016 one Monu Sen alongwith one Santosh Sinha and another were travelling in a motorcycle. Thereafter, dispute arose for the reason that they were driving motorcycle in a rash and negligent manner. Subsequently, altercation took place with Naushad Ali and Monu Sen. Thereafter, his brother Haider Ali was called and he came with knife and Naushad Ali came with hammer and the applicants Gosiya and Ruksana came with jhara and thereafter both Monu Sen and Santosh Sinha were assaulted and Santosh Sinha succumbed to the injuries.
3. Learned counsel for the applicants submits that the entire allegations have been attributed to Haider Ali and Naushad Ali to cause

assault to Santosh Sinha and Monu Sen and allegations against these applicants is that they have assaulted by hand and fist and jhara. Therefore, considering the role played by the applicants, they have not played any vital role in commission of crime and they being ladies, they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the eye witness Monu Sen. Considering the role played by the applicants, main allegations have been attributed to Haider Ali and Naushad Ali whereby Santosh Sinha succumbed to the injury of knife and Monu Sen sustained incised wound. Taking into role played by the applicants, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE