

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3776 of 2016

1. Meera Paikra, W/o Shri Balraj Singh Paikra, Aged About 42 Years,
 2. Trikesghat @ Papu S/o Shri Sagar Lal Paikra, Aged About 23 Years
- Both R/o Village Drakipara, P.S. Patna, District Korea Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through P.S. Patna, District Korea Chhattisgarh

And

MCRC No. 3857 of 2016

1. Rammilan Singh @ Tipu S/o Lt. Raguvir Prasad, Aged About 41 Years,
2. Monu @ Kamlesh Kumar S/o Shri Madan Mohan Paikra, Aged About 19 Years R/o Village Drakipara, P.S. Patna, District Korea Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through P.S. Patna, District Korea Chhattisgarh

---- Respondent

For applicants - Shri Arvind Singh, Advocate.
For Respondent/State – Shri Satish Gupta, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/07/2016

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No.21/2016 registered in Police Station Patna, District Korea (C.G.) for offence punishable under sections 147, 148, 149, 302, 450, 364, 464 read with 34 of IPC.
3. As per the prosecution case, on 4/02/2016 at about 4.30 am, the applicants along with co-accused entered into the house of one Durgesh, thereafter took him out and assaulted him which resulted into his death.

4. Learned counsel for the applicants submits that he do not wish to press bail application filed in respect of applicant No.2 Trireshghat @ Papu (Rishidhar) in M.Cr.C. No.3776/2016.

5. Accordingly, bail application in respect of applicant No.2 Trireshghat @ Papu (Rishidhar) in M.Cr.C. No.3776/2016 is dismissed as not pressed.

6. Learned counsel for the applicants submits that allegation against applicant No.1 Meera Paikra in M.Cr.C. No. 3776/2016 is that she only knocked the door wherein Durgesh was staying and no allegations have been attributed to her. With respect to bail application of applicant No.1 Rammilan Singh @ Tipu and applicant No.2 Monu @ Kamlesh Kumar it is submitted that their name do not find in the FIR and the eye witnesses have not directly inculpated their act, therefore their name have been falsely implicated, no overt act has been committed by them. Therefore, he submits that the applicants may be released on bail.

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

8. Perused the statement of the witnesses and the medical report. Death was due to haemorrhage due to cardiovascular arrest. Considering the statement of the eye witnesses Sribai, Chetan Ram and statement of Bhuneshvar, at this stage the allegation cannot be bifurcated and attributed to single one as the way the offence has been committed. Therefore, in the circumstances, this court is not inclined to release the applicants on bail.

9. Accordingly, the bail applications are dismissed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE