

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6052 of 2016

1. Derharam Sahu S/o Shri Budhram Sahu Aged About 58 Years R/o Village Janjiri, Police Station Bhilai-3, District Durg, Chhattisgarh
2. Smt. Fekan Bai W/o Derharam Sahu Aged About 50 Years R/o Village Janjiri, Police Station Bhilai-3, District Durg, Chhattisgarh ---
Applicants

Versus

- State of Chhattisgarh through Station House Officer, Police Station Bhilai-03, District Durg, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. T. K. Jha, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 71 of 2013 registered at P.S. Bhilai-3, Distt. Durg (C.G) for the offence punishable under Sections 363, 302, 201, 120-B of IPC.
2. As per the prosecution case, on 8.02.2013 the infant child of Dineshwari Bai was missing from her house. Subsequently after two days the dead body was found. It is alleged that Dineshwari Bai was carrying pregnancy before her marriage. When on the date of incident Dineshwari Bai wanted to give medicine to child, she was stopped and asked to give food to her husband and thereafter when she came back her child was found missing.
3. Learned counsel for the applicants would submit that the applicants are father-in-law and mother-in-law of Dineshwari

whose infant child was found dead. It is submitted that the applicants have been falsely implicated and no evidence is available against them. He further submits that similarly placed accused Smt. Shashi Sahu has been granted bail by this Court in M.Cr.C.No.5466 of 2016 on 15.09.2016, therefore, the present applicants may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the person against whom similar allegations have been made has been enlarged on bail by this Court.
5. Considering the fact that similarly placed accused has been enlarged on bail by this Court in M.Cr.C.No.5466 of 2016, without any further observation on merits of the case, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**