

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7885 of 2016

1. Piyariya Bai W/o Ram Anuj Aged About 30 Years R/o Village Gatapara, Chowki Chilfi, Police Station Lormi, District Mungeli, Chhattisgarh.
2. Parvati Bai W/o Khedu Ram Patre Aged About 30 Years R/o Village Gatapara, Chowki Chilfi, Police Station Lormi, District Mungeli, Chhattisgarh.
3. Chandra Kala Patre, W/o Sanjay Patre, Aged About 28 Years R/o Village Gatapara, Chowki Chilfi, Police Station Lormi, District Mungeli, Chhattisgarh. **--- Applicants**

Versus

- State of Chhattisgarh through the Station House Office, Police Station Lormi, District Mungeli, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Rajeev Kumar Dubey Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

14.12.2016

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. 276 of 2016 registered at P.S. Lormi, Distt. Mungeli (C.G) for the offence punishable under Sections 147, 148, 149, 302 IPC & Section 25 of the Arms Act.
2. As per the prosecution case, a report was lodged by one Surendra Kumar that on 18.07.2016 that he along-with his uncle Janak Ram was returning from market and on the way when they reached near the house of Chandra Prakash, the present applicants along-with the male members of the house came out and started assaulting Janak Ram as a result of which Janak Ram died.
3. Learned counsel for the applicant would submit that the present applicants are domestic ladies and they have been falsely implicated.

He further submits that on their memorandum, only the club has been seized and from other male accused, Axe and other weapons were seized and the incised wound sustained by the deceased could not have been caused by the club. He further submits that the applicants being ladies, no further investigation is necessary and since they are in jail since from 19.07.2016, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of witnesses Surendra Mangeskar and Pritam Mangeskar wherein the joint allegations have been attributed. The postmortem report would also show that four incised wounds were inflicted to the injured and the doctor gave opinion that the cause of death was due to head & facial injury and its complication. It appears that on memorandum, only a club was seized from the present applicants.
6. Taking into totality of the facts and circumstances of the case more particularly the fact that the applicants are domestic ladies and they are in jail since 19.07.2016 and further looking to such seizure made from the applicants, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed and the applicants are 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 till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**