

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7924 of 2016

- Ramhin Bai W/o Dhaniram Aged About 55 Years R/o Village - Kolda, Chowki - Bundeli, Police Station - Tendukona, District - Mahasamund Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Station - Tendukona, District - Mahasamund Chhattisgarh

---- **Respondent**

For Applicant : Mr. Vikash Pradhan, Advocate

For Respondent/State : Mr. Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

13-12-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 6-6-2016 in connection with Crime No. 64 of 2016, registered at Police Station Tendudkona, District Mahasamund (CG) for the offence punishable under Sections 302, 201, 34 of the IPC.
2. Case of the prosecution, in brief, is that in the intervening night of 3/4-6-2016 decease Yadram entered into a dispute with his father, Dhaniram. Initially Dhaniram assaulted him by way of club and inflicted assault by way of chopper on his neck. Subsequently, present applicant who is mother of the deceased tried to wash away the blood-stains and thereby tried to make disappearance of the evidence.
3. Learned counsel appearing for the applicant would submit that the main allegations of assaults have been attributed to the father of the deceased and against the present applicant, who is mother of the

deceased, only allegation is that she tried to make disappearance of the evidence. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 6-6-2016 and no further investigation is required, therefore, she may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents wherein main allegations have been attributed to Dhariram, who is father of the deceased and the allegation against the present applicant is that she tried to make appearance of the evidence.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that the applicant is a woman aged about 55 years, charge-sheet in this case has been filed and the applicant is in jail since 6-6-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju