

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8273 of 2016

Smt. Marni Jaiswal S/o Parasnath Jaiswal, Aged About 22 Years
R/o Manjhganwa (Semaria) Police Station Kota Revenue And
Civil District Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Ratanpur,
District Bilaspur Chhattisgarh

---- Respondent

For applicant - Shri P.K. Tulsiyan, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/12/2016

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.183/2016 registered in Police Station Ratanpur, District Bilaspur (C.G.) for offence punishable under sections 294, 506, 307, 120(B) and 34 of Indian Penal Code. (As per challan)

2. As per the prosecution case, on 2/08/2016 the applicant who was married to the complainant Parasnath on 1/07/2016 requested him to bring her maternal brother Ram Krishna @ Krishna Jaiswal while he was coming home. Subsequently complainant Parasnath alighted at Ratanpur wherein he met Ram Krishna other co-accused and on his request they were going to Jamnahi, on the way Ram Krishna has assaulted Parasnath by way of knife on his vital parts. It is alleged that the applicant Marni Jaiswal has hatched conspiracy alongwith other co-accused to eliminate complainant as she was in relation with other co-accused Ram Krishna.

3. Learned counsel for the applicant submits that there is no evidence against the applicant, the applicant being wife had called his husband to bring her maternal cousin brother Ram Krishna and this cannot be attributed that she was party to the conspiracy to kill and initially on 3/08/2016 in memorandum statement of co-accused no allegations have been attributed to the applicant and subsequently on 28/08/2016 the allegations have been made against the applicant, therefore the applicant may be released on bail.

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

5. Perused the case diary and the documents. Considering the facts and circumstances of the case, statement of injured Parasnath and memorandum statement of co-accused, this court is inclined to release the applicant on bail.

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

Sd/-

(Goutam Bhaduri)

JUDGE