

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 108 of 2017

1. Keshari Bai Kurre W/o Kaushal Prasad, aged about 50 Years R/o Village- Pachpedi, Chowki- Pachpedi, Police Station Masturi, District Bilaspur, Chhattisgarh.
2. Kaushal Prasad S/o Devnarayan Suryavanshi, aged about 55 Years R/o Village- Pachpedi, Chowki- Pachpedi, Police Station Masturi, District Bilaspur, Chhattisgarh.
3. Arvind Kurre @ Chhotu S/o Kaushal Prasad Suryavanshi, aged about 22 Years R/o Village- Pachpedi, Chowki- Pachpedi, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh through Station House Officer, Police Station Masturi, District Bilaspur, Chhattisgarh. (Chowki Pachpedi)

---- Respondent

For Applicants : Mr. Malay Ku. Bhaduri, Advocate

For Respondent/State : Mr. U. K. S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.411/2016, registered at Police Station – Masturi, District – Bilaspur (C.G.) for the offence punishable under Sections 302, 201,34 of the Indian Penal Code.
2. As per the prosecution case, on 18.10.2016 deceased Lalita Bai was burnt. Merg intimation was made and the dead body was sent for

postmortem. During postmortem, it was revealed that the deceased was subjected to throatlling and thereafter she was burnt. The present applicants who are the mother-in-law, father-in-law and husband of the deceased used to ill treat the deceased after her marriage and suspected and doubted on her caracter.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated only on the basis of the memorandum statement of Aswin and there is no eye witness to the incident. Therefore, counsel for the applicants prays that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Perused the case diary and the documents.
6. Taking into consideration the fact that the place of incident was the house of the applicants where they were also present in the house at the time of incident and also taking into consideration the contradiction in the merg statement and the postmortem report, I am not inclined to release the present applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge