

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 619 of 2017

- Sarwari Bano D/o Vakil Ahmad, Aged About 21 Years R/o Village Anirudhpur, Police Station Ramchandrapur, District Balrampur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through Police Station Ramchandrapur, District Balrampur, Chhattisgarh. --- **Respondent**

For the applicant	: Mrs. Meena Shastri, Advocate
For the Respondent	: Mr. Sangharsh Pandey, Panel Lawyer

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

08.02.2017

1. This is the 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. 47/2016 registered at Police Station Ramchandrapur, Distt. Balrampur (C.G) for the offence punishable under Sections 302, 201, 120-B, 34 of IPC.
2. As per the prosecution case, a report was made by complainant Raj Dev Thakur who is uncle of deceased namely Vinay Kumar that his nephew's body was found on the peak of a hill and the doubt was raised over Jai Kumar Singh Thakur and the present applicant Sarwari Bano who was in love relations with the deceased as also the other co-accused and subsequently the deceased Vinay Kumar was eliminated.
3. Learned counsel for the applicant submits that the applicant has been implicated only on the statement of memorandum of co-accused Jai Kumar Singh who stated that since the

deceased used to follow the present applicant and expressed his love, therefore, she wanted to eliminate and except this, no other evidence is available against the applicant, therefore, she may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Perused the statement of Dinesh Prajapati who left the deceased in the house of present applicant on the date of incident in the night along-with memorandum statement of co-accused Jai Kumar Singh wherein the allegation of conspiracy is also attributed to present applicant.
6. Taking into the nature of evidence available in this case and the facts and circumstances of the case, I am not inclined to allow this bail application. Accordingly it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**