

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2985 of 2017**

Lachni @ Bodhni Sahu W/o Dushyant Sahu Aged About 42 Years R/o
Village- Dowkidih P D Anda District Durg, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through District Magistrate, District Durg, CG.

---- Respondent

For applicant	Mr. Avinash Chand Sahu, Adv.
For Respondent/State	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****11-7-2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as she is arrested on 12-2-2017 in connection with Crime No. 14/2017 registered in PS Anda, Distt. Durg (CG) for offence punishable under Section 302, 342, 34 of the Indian Penal Code, 1860.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed against 4 accused persons namely Dushyant Sahu, Chetan, Kanhaiya and the present applicant and the same is pending before the 4th Additional Sessions Judge, Durg as S.T. No. 88/2017. Name of the deceased is Bablu Yadav. He further submits that there is no eye-witness in the charge sheet and at the most act against the accused person may fall under the ambit of Section 304-II of the IPC. All the witnesses are hearsay witnesses and no one saw the applicant assaulting the deceased. Hence she may be enlarged on bail.
4. Per contra, learned counsel for the State submits that there are two eye-witnesses Banjulal and his wife Kusum Devdas who witnessed the incident of marpeet of the deceased by other co-accused and

thereafter he succumbed to the injuries. Naresh father of the deceased is also a witness. He saw Bablu Yadav over Munga tree and thereafter the applicant and other co-accused wrongfully confined the deceased and further the deceased died on account of injuries.

5. Perused the material.
6. Looking to the evidence collected it appears prima facie that there are two eye-witnesses who saw the incident and other witnesses prima facie connect the applicant with the offence registered against her. Looking to the entire facts and evidence, I am not inclined to grant bail to the applicant.
7. Consequently, instant MCRC is dismissed.

Sd/-
(Chandra Bhushan Bajpai)
Judge