

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4820 of 2017**

Sunita Bai W/o Man Singh Checham, Aged About 32 Years R/o Village Salhebhatthi (Taktoiya), Police Station Kukdur, Tahsil Pandariya, District Kabirdham Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Kukdur, District Kabirdham, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Rakesh Pandey, Advocate
For the Non-applicant	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****02/11/2017**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No. 20/2017 registered at Police Station Kukdur, District Kabirdham (C.G.) for the offence punishable under Sections 302 and 201 read with Section 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 02/02/2017 deceased Goutar resident of Village Vicharpur had gone to the house of the Secretary but not returned back. On 04/02/2017 the dead body of the deceased was found in Mohpad canal. Brother of the deceased namely Kanchanram lodged the report in Police Station Kukdur. During the investigation it has been found that the present applicant and deceased had illicit relation. On 02/02/2017 the husband of the

said applicant seen the prosecutrix and deceased in objectionable condition in Kothar. The husband of the present applicant beaten her and thereafter they committed the murder of the deceased and concealed dead body of the deceased in Para at Kothar.

4. Learned counsel for the applicant submits that she has innocent and falsely implicated in the present case and the applicant is in jail since 03/03/2017, therefore, she shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the statement recorded under Section 161 of CrPC, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
7. Consequently, the MCRC is dismissed.

Sd/-

(Sharad Kumar Gupta)
Judge

Kamde