

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8229 of 2016

- Jyoti Kandra D/o Prahlad Kandra, Aged About 32 Years R/o Chikli Ward No. 5, Police Station Out Post Chikli, Tahsil & District Rajnandgaon, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kotwali, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rajendra Tripathi, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.1.2017

1. This is 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.556/2016 registered at P.S. Kotwali, Rajnandgaon (C.G) for the offence punishable under Sections 302, 109, 460 & 380/34 of IPC.
2. As per the prosecution case, an old lady was murdered in the intervening night of 18th & 19th of August 2016. It was alleged that the present applicant along-with other accused Peer Mohmmad committed murder for the reason that the deceased used to clamp charges of illegal business over the present applicant and others. Consequently they decided to eliminate her and committed murder.
3. Learned counsel for the applicant would submit that there is no evidence against the present applicant and only on the basis of narration of last seen together the present applicant has been inculpated. He further submits that the charge sheet has been filed and the applicant is a lady and is in jail

since 23.08.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of Triveni Kandra who has narrated the last seen together as also the memorandum statement of the present applicant and on the basis of memorandum, the recovery of Aadhar card and ration card were seized from the present applicant which were taken after the incident. Taking into such evidence, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**

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