

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1837 of 2017

1. Sonkuwar W/o Ramlal Gond Aged About 48 Years,

2. Premvati D/o Ramlal Gond Aged About 18 Years,

Both are R/o Village- Udhanapur, Pashchim Para, Police Station -
Khadgawan Civil & Revenue District Korea, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Khadgawan, District- Korea, Chhattisgarh.

---- Respondent

For applicants - Ms. Sharmila Singhai, Advocate.
For Respondent/State – Shri Om.P. Sahu, GA.

Hon'ble Shri Justice Goutam Bhaduri

Order

11/04/2017

1. This is second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed as withdrawn on 22/11/2016 vide M.Cr.C. No.6857 of 2016 with liberty to repeat the same after examination of Ram Prasad.

2. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 96/2016 registered in Police Station Khadgawan, District-Korea (CG) for offence punishable under sections 302, 201, 34 of Indian Penal Code.

3. As per the prosecution case, one Parvati was killed in the intervening night of 11-12/06/2016 as Parvati had illicit relation with Ram Prasad who was husband of Phool Basiya and father of Kaushalya. It is alleged that Phool Basiya and Kaushalya strangled Parvati while she was caught in compromising position with Ram Prasad and applicant No.1 Sonkuwar and applicant No.2 Premvati daughter of Sonkuwar also gave

beating to the deceased.

4. Learned counsel for the applicants submits that the earlier bail application was dismissed as withdrawn on 22/11/2016 with liberty to repeat the same after examination of Ram Prasad and he is the eye witness. She further submits that Ram Prasad has not supported the case of the prosecution and no other evidence is available, therefore the applicants may be released on bail.

5. Learned State counsel on specific query submitted that except Ram Prasad there is no other eye witness in this case.

6. Considering the submission of learned State counsel and also considering the statement of Ram Prasad which is annexed with the bail application, without further observation on the merits, this court is inclined to release the applicants on bail.

7. Accordingly, the second bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE