

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2474 of 2018

1. Smt. Sarita Bhashkar W/o Puniram Bhashkar, Aged About 40 Years, Caste- Satnami, R/o- Village Faguram, Ward No. 8, Tahsil- Malkharoda, P.S. Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Guruwarin Barman W/o Yadram Barman, Aged About 60 Years, Caste- Satnami, R/o- Village Faguram, Ward No. 8, Tahsil- Malkharoda, P.S. Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sangeeta Khunte W/o Late Rajkumar Khunte Aged About 36 Years, Caste- Satnami, R/o- Village Faguram, Ward No. 8, Tahsil- Malkharoda, P.S. Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through- District Magistrate, Police Station- Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicants – Shri V.C. Ottalwar and Shri Ishwar Jaiswal, Advocates.
For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-05-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicants for grant of regular bail. Their first bail application filed before this Court was dismissed as withdrawn. The applicants have been arrested on 18-03-2017 in connection with Crime No.71/2017 registered at P.S. Dabhra, District Janjgir-Champa, Chhattisgarh for the offence under Section 294, 506, 323, 302, 147, 148, 149 of the IPC.

2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 18-03-2017. It is almost more than one year that these applicants are languishing in jail, but, still the trial against them has not concluded. No case is made out against them,

according to the evidence present in the charge sheet. Hence, it is prayed that the applicants may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that looking to the evidence present against the applicants, they are not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.

5. On the date of incident, at about 7 p.m. in the night deceased Rajkumar had been to fetch his wife from her maternal home, it was at that time because of some dispute the applicants and co-accused persons assaulted the deceased with hands, fists, clubs and stone. After inquest procedure the FIR has been lodged against these applicants and co-accused persons.

6. Considered on material present in the case diary. These applicants are women and are in jail since quite some time, trial against them is likely to take some time before its conclusion and also looking to the role played by these applicants according to the evidence collected in the investigation, I am of this view that these applicants deserve to be granted regular bail.

7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge