

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8011 of 2018**

Dashoda Dhritlahre W/o Bachnu Dhritlahare, aged about 55 yers, R/o Village Bhoring, Police Station Tumgaon, District Mahasamund (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police of Police Station Fingeshwar, District Gariyaband (C.G.).

---- Respondent

For Applicant	:	Mr. B.L. Sahu, Advocate
For Respondent	:	Mr. Shangarsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

16/11/2018

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 98/2018 registered at Police Station Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Sections 302, 120, 201 read with Section 34 of the IPC.
2. As per prosecution story, on 30/06/2018 Yashwant Kumar lodged a Merg report with regard to death of his brother Shailendra Markandey (henceforth 'the Deceased'). Merg inquiry was conducted. It was found that co-accused Yaadram committed murder of the Deceased. On the basis of memorandum statement of co-accused Yaadram, the Applicant has been arrested on 01/07/2018. It is alleged that the Applicant was involved in the alleged offence of murder.
3. Learned counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the present case only on the basis of statement made by co-accused Yaadram. There is no direct evidence against the Applicant. She is an old lady and trial will take much more time, therefore, she may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that main accused is Yaadram who virtually murdered the Deceased and further considering that there is no direct evidence against the present Applicant, without further commenting on merit of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge