

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7824 of 2017

1. Smt. Uttara Bai Kurre W/o Ude Lal Kurre, Aged About 40 Years, R/o Kundrapara, Durg, Out Post Padamanabhpur, P. S. And District Durg Chhattisgarh , Chhattisgarh
2. Smt. Son Bai, W/o Late Dashrath Madhukar, Aged About 40 Years, R/o Kundrapara, Durg, Out Post Padamanabhpur, P. S. And District Durg Chhattisgarh , District : Durg, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Office, Police Station Durg, District Durg Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicants – Shri Rudranath Mukherjee, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 23-05-2017 in connection with Crime No.464/2015, registered at P.S. Durg, District Durg, Chhattisgarh for the offence under Section 302, 120(B), 201/34 of the IPC.

2. It is submitted on behalf of the applicants that the applicants are innocent and have been falsely implicated. Both the applicants are in jail since since 23-05-2017. Main accused in this case namely Manju Banjare has been granted bail by this Court in MCRC No.6090/2017 vide order dated 10-11-2017. The applicants have similar and better case. Hence, it is prayed that they may be granted bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that it is alleged that both the applicants have provoked the main accused to cause death of deceased Siliya Bai. Hence, looking to this allegation, they are not entitled for grant of bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. Siliya Bai Kurre was found dead in suspicious condition on 13-06-2015. After inquest procedure, the FIR was registered on the same day against unknown person. It was after two years that on conducting polygraphic test and brain mapping of these applicants, the investigation got lead and on that basis memorandum statement of main accused Manju Banjare was recorded, in which, she has stated that both these applicants used to give her provocation to cause death of the deceased. Charge sheet has been filed after completion of investigation.
6. Considered on the submissions made and the contents of the case diary.
7. Considering nature of the allegation against these applicants and taking into consideration this fact that main accused Manju Banjare has been benefited with grant of bail by this Court and also the fact that both the applicants are women, I am of this view that both the applicants should be released on bail till conclusion of the trial against them.
8. 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 each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge