

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 686 of 2019**

1. Ramesh Barkade S/o Roop Singh Aged About 30 Years,
 2. Roop Singh Barkade S/o Kewal Singh Aged About 60 Years,
- Both are R/o Aandi, Police Station Pendra District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Pendra District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For applicants	Mr. Ashok Soni and Prakash Mishra, Advocates
For non-applicant/State	Mr. SRJ Jaiswal and Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**CAV ORDER****(18/02/2019)**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and his no bail application is pending before any other court.
2. The applicants have been arrested in connection with Crime No. 380/2018 registered in police station Pendra, District Bilaspru (CG) for offence punishable under Sections 452, 323, 294, 506, 316/34 of IPC.
3. Prosecution story in brief is that complainant Hanshwati is about 20 years old. She is resident of village Andi. She is member of Scheduled Caste. On 31.10.2018 about 4.30 p.m. applicants entered in her house, pressed throat of her husband on wall. Applicant No. 1 Ramesh Barkade pulled her, thus she fell down on the earth flat-ways. She was pregnant by four months. They had abused her and given threats to kill her. Later on fetus was died.
4. As per the true copy of USG dated 11.01.2018 upper abdomen and kub no significant abnormality was detected. As per the true copy of report dated 06.11.2018 fetus was well developed. In the query doctor replied on 24.11.2018 that he is unable to say what is the main cause of death of fetus.
5. Counsel for the applicants argued that the applicants are innocent and has been falsely implicated hence they be released on bail.

6. On the other hand, the State Counsel opposed the bail application. He further submits that there is no criminal antecedent has been reported against applicants.
7. Looking to the facts and circumstances of the case it is ordered that if applicants furnish one solvent surety of Rs.25,000/- each along with personal bond of Rs.25,000/- each to the satisfaction of the concerned trial Court with the condition that they shall appear before the trial Court at 11 a.m. as and when directed by the trial Court and they would cooperate during the trial, they shall be released on bail.
8. CC as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE