

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1060 of 2019**

1. Nand Kumar Sinha S/o Shri Bisauha Sinha Aged About 44 Years R/o Village Mohba, Police Station Lalbag, Tahsil And District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
2. Santoshi Bai W/o Nand Kumar Sinha Aged About 40 Years R/o Village Mohba, Police Station Lalbag, Tahsil And District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Lalbag, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicants : Shri Abhishek Sharma, Advocate.

For Non-applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25.02.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 444/2018 registered at Police Station – Lalbag, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 324, 506, 307/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that applicant No.1 Nand Kumar Sinha is the son of complainant Bisauha Sinha and Smt. Chanda Bai Sinha, applicant No.2 Santoshi Bai is wife of applicant No.1 and

daughter in law of the said complainants. On 06.11.2018 at about 10am applicant-Nand Kumar Sinha abused complainant Bisauha Sinha and gave threats to kill him. He had beaten him by hands and fists. Complainant Smt. Chanda Bai intervened, applicant No. 1 called applicant No.2 Santoshi Bai, she caused injury on the back of complainant Bisauha Sinha by blunt side of spade. Applicant No.2 also caused injury on the head of complainant Smt. Chanda Bai by sharp side of spade. As per the MLC report of complainant Bisauha one contusion was found on his back, injury was simple in nature. As per the MLC, complainant Smt. Chanda Bai Sinha one lacerated wound was found on her frontal region and fracture was found on her right foot, which was grievous in nature. As per the CT Scan of complainant Smt. Chanda Bai Sinha it was opined that leucunar infarct left thalamus was age related atrophic changes.

4. Learned counsel for the applicants argued that they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. As per the query report if the complainant Chanda Bai would not have received treatment she would have died.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicants on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE