

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1408 of 2019**

Guddi Chandra @ Chandrakumari W/o Shivcharan Chandra Aged About 31 Years R/o Village- Karigaon, Tahsil- Malkharoda, Police Station- Malkharoda, Civil And Revenue District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Malkharoda, Civil And Revenue District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Ms. Madhunisha Singh, Advocate
For the State	:	Ms. Sangeeta Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/03/2019**

1. This is the second bail application under Section 439 of the CrPC.
2. Earlier first bail application of the applicant was rejected by this Court on 07/01/2019 in MCRC No. 07/01/2019 considering the prima facie case against her.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.230/2018 registered at Police Stations Dabhra, District Janjgir-champa (C.G.) for the offence punishable under Section 294, 323/34, 506-B, 302, 307 of IPC.
4. Case of the prosecution, in brief is that on 17/05/2018 at about 07.30 p.m. in village Katoud some used disposal glasses were reached in the courtyard of the co-accused Kashi Prasad through air, applicant, co-accused Gourishankar, Kashi Prasad reached in front the house of deceased Keshav Prasad Chandra, they abused deceased Keshav Prasad Chandra, complainants Chheeti Bhushan Chandra and Smt. Rameshwari. Co-accused Gourishankar who had the iron rod caused injury on the head of deceased Keshav Prasad Chandra. Co-accused Kashi Prasad caused injury on the head of complainant Chheeti Bhushan Chandra. Co-accused Gourishankar and applicant had beaten the complainant Smt. Rameshwari Bai by hands and fists. On 23/05/2018 deceased Keshav Prasad Chandra succumbed on account of injury sustained by him. As per the MLC report one lacerated wound was found on the head of complainant Chheeti Bhushan which was simple in nature.
5. Counsel for the applicant submitted that applicant is woman, he is in jail since long back, she had not caused injury to anyone by Axe, thus she may be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submitted that no criminal antecedents against the applicant.

7. Looking to the facts and circumstances of the case, looking to the evidence available on record against the applicant, looking to this fact that there is no change of circumstances which may entitle the applicant to release on bail in second round of litigation, consequently her second bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde