

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3149 of 2019**

- Shipra Haldar W/o Ashim Haldar Aged About 45 Years R/o Village Manoranjan Chowk, Malkharoda, Thana Malkharoda, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

- The State Of Chhattisgarh Through Police Station Dabra, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant : Shri Parag Kotecha, Advocate.
For Respondent/State : Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/06/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 15/2019, registered at Police Station – Dabra, District- Janjgir Champa (C.G.) for the offence punishable under Sections 302 & 201 of the IPC.
2. As per prosecution story, deceased Basanti Vishwas was the step mother of present Applicant. On 08.01.2019 at about 1:00 PM, Basanti Vishwas was found dead in her house. Allegedly, the Applicant murdered the deceased due to some previous dispute of money between them. On the basis of said background, offence has been registered. The Applicant is in custody since 09.01.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there is no direct evidence available on record against the Applicant, the whole prosecution story is suspicious. Only

on the basis of suspicion, she has been involved in the crime in question, she is in custody since 09.01.2019, charge-sheet has already been filed trial is likely to take some time. Therefore, she may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application and submits that from the statement of prosecution witness Rakesh Sahu prima facie it is established that just before the incident, the Applicant was seen and met by him in front of house of the deceased. He has duly identified the Applicant during test identification parade. It is further submitted by the State Counsel that before this witness, the Applicant has also made extra judicial confession. He further submits that on the basis of memorandum statement of the Applicant, one saree has been seized in the blood stains of the deceased were found. Thus, there is sufficient evidence available on record against the Applicant. Therefore, she may not be released on bail.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the statement of prosecution witness Rakesh Sahu, without further commenting on merits of the case, I am not inclined to release the Applicant on bail.
7. Accordingly, the bail application is rejected.

Sd/-
(Arvind Singh Chandel)
Judge