

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3885 of 2019**

- Smt. Ranu Markandey Wd/o Late Shailendra Markandey Aged About 28 Years R/o Village Pachri, Police Station Patewa (Jhalap), District Mahasamund Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Fingeshwar, District Korea Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B.L. Sahu, Advocate
For Respondent/State	:	Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****10/07/2019**

1. The Applicant has preferred this Second bail application under Section 439 of the Cr.P.C for grant of regular bail as she is arrested in connection with Crime No. 96/2018 registered at Police Station Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Sections 302, 120, 201 read with Section 34 of the IPC.
2. First bail was dismissed as withdrawn with liberty to file afresh after examination of the material witnesses.
3. In this case, the Applicant was the wife of deceased Shailendra, co-accused Yaadram is the brother-in-law of the Applicant and another co-accused Dashoda Dhritlahre is the mother-in-law of the Applicant. As per prosecution story, on 30/06/2018, dead body of the deceased

Shailendra was found on road, his brother Yashwant Kumar lodged a Morgue report. Morgue inquiry was conducted by the Police. It was found that co-accused Yaadram committed murder of the Deceased. Allegations against the Applicant is that she has an illicit relationship with co-accused Yaadram, therefore, they have conspired the murder of the deceased. On the basis of said background, offence has been registered. The Applicant is in custody since 01.07.2018.

4. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. There is no evidence available on record regarding illicit relationship of her with the co-accused Yaadram. He further submits that material witnesses have also been examined before the Trial Court and they have not stated anything specific against the Applicant. Co-accused Dashoda Dhritlahre has already granted benefit of bail by this Court vide order dated 16.11.2018 passed in MCRC No. 8011/2018. The Applicant is a lady and is in custody since 01.07.2018, charge-sheet has already been filed and trial is likely to take some time, therefore, she may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned counsel for both the parties.
7. Considering the entire facts and circumstances of the case, particularly considering that main accused is Yaadram who virtually murdered the Deceased and further considering that co-accused Dashoda Dhritlahre

has already granted benefit of bail by this Court, the Applicant is in custody since 01.07.2018, charge-sheet has already been filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.

8. Accordingly, the bail application is allowed.
9. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge