

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4860 of 2019**

Smt. Mamta Yadav W/o Late Rakesh Yadav Aged About 65 Years R/o Vivekanand Colony, Street No.3, Gunderdehi Raod, Dhamtari, District Dhamtari, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station Gurur, District- Balod, Chhattisgarh.

---- Respondent

For the Applicant : Smt. Aditi Singhvi, Advocate.
For the Respondent/State : Shri Ghanshyam Patel, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.08.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.86 of 2019, registered at Police Station – Gurur, District – Balod, Chhattisgarh for the offence punishable under Sections 302 and 201, 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 31.3.2019 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, co-accused – Siddarth Yadav firstly stabbed deceased - Anchal Yadav and thereafter, strangled her to death in presence of this applicant who happens to be the mother of both. Subsequent to that, this applicant has helped the main accused in disposing of the dead-body. Hence, this case.
6. Considering the fact that this applicant has participated only in the act of disposal of the dead-body of the deceased, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge