

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

RESERVED ON 16-9-2019

PRONOUNCED ON 17-9-2019

MCRC No. 5179 of 2019

- Nazma Khatun W/o Sayub Ansari Aged About 35 Years R/o Chhatarpur, District - Palamu Jharkhand, District : Palamu, Jharkhand

---- **Petitioner****Versus**

- The State Of Chhattisgarh Through SHO, P.S. Pasta, District - Balrampur- Ramanujanj, Chhattisgarh

---- **Respondent**

For applicant	Mr. A.K. Prasad, Adv.
For non-applicant/State	Mr. D.C. Verma, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**CAV Order**

1. This is second bail application of the applicant. Her first bail application under Section 439 of the Cr.P.C. was dismissed in compliance of a peremptory order dated 2-7-2019 passed by this Court in MCRC No. 4300/2019.
2. The applicant has been arrested in connection with Crime No. 35/2018 registered in police station Pasta, Distt. Balrampur-Ramanujanj, (CG) for offence punishable under Section 302, 364-A, 120-B of the IPC and Section 25 and 27 of the Arms Act.
3. Prosecution story in brief is that on 14-7-2018, the dead body of deceased Bhola Kumar Sao was found in area of Police Station Latehar and on very day the dead body of the deceased Sagufta Parveen was found in Kanda Forest, PS Pasta. Both dead bodies were found in injured condition. Near the dead body of deceased Sagufta Parveen, one empty cartridge was seized. It is alleged that applicant and other co-accused hatched conspiracy to kill the deceased Bhola Kumar sao and Sagufta Parveen and in furtherance to the conspiracy, they killed deceased Bhola Kumar Sao and Sagufta Parveen. On the memorandum of applicant one Nokia mobile bearing SIM No. 9578053935 was seized from her. She was frequently making conversation with her brother-co-accused Ajmullah by said mobile.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated. No incriminating article has been seized

from her. Her call details have not been produced. Hence she be released on bail.

5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, looking to the materials available on record against the applicant, looking to the fact that there is no likelihood of her to abscond and tamper the evidence, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the Court concerned with condition that she will appear before the trial Court at 11.00 am as and when directed by the said court till trial and she would cooperate during trial, she be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge