

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6333 of 2019**

- Valmiki Kaushik S/o Dhanau Kaushik Aged About 24 Years R/o Village - Gochhiya, Police Station - Kawardha, Tahsil - S. Lohara District - Kabirdham Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer - Kawardha, District - Kabirdham Chhattisgarh.

---- Respondent**MCRC No. 7076 of 2019**

- Lav Kush S/o Vishram Kaushik Aged About 19 Years R/o Ghochhiya Road, Kawardha, Police Station And Tahsil Kawardha, District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station - Kawardha, District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent**MCRC No. 7467 of 2019**

1. Sushil Bai W/o Ram Charan Kaushik Aged About 42 Years R/o Gochiya Police Station Kawardha, Tahsil Kawardha, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh
2. Sukrut Bai W/o Ram Ji Kaushik Aged About 60 Years R/o Gochiya Police Station Kawardha, Tahsil Kawardha, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Kawardha, District Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicants	:	Shri Dharmesh Shrivastava, Advocate in MCRC No.6333/2019 and 7467/2019
For Applicant	:	Shri P.K. Patel, Advocate in MCRC No.7076/2019
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

26.11.2019

1. Heard.
2. As all the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
3. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.324/2019 registered at Police Station - Kawardha, District Kabirdham(C.G.) for the offence punishable under Sections 302, 201, 120B, 34 of the IPC.
4. It is the case of the prosecution that on 12.7.2019 complainant Chitram Sahu lodged a report that dead body of a lady is lying in the field in Hathibod. The dead body was sent for postmortem and it was identified as of one Karuna Yadav. On the basis of memorandum statements the applicants have been arrested.
5. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and there is no seizure from the applicants. He

submits that except memorandum statement of the co-accused, nothing adverse is there against the applicants; charge sheet has been filed and the applicants are in custody since July, 2019 and trial is likely to take some time for its final disposal, therefore, they may be released on bail.

6. On the other hand, counsel for the State opposes the bail application.
7. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the applicants are in jail since July 2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
9. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge