

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 312 of 2020**

1. Ajay Kodaku S/o Shri Laruka Kodaku Aged About 26 Years R/o Village Makhepi, Police Outpost - Ganesh Mod, Police Station - Balrampur, District Balrampur - Ramanujganj, Chhattisgarh.
2. Sandeep Kodaku S/o Shri Ramdev Kodaku Aged About 31 Years R/o Village Makhepi, Police Outpost - Ganesh Mod, Police Station - Balrampur, District Balrampur - Ramanujganj, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Balrampur, District Balrampur - Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Rishi Rahul Soni, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/02/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 111/2018 registered at Police Station - Balrampur, District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 341, 294, 506, 323, 302, 34 of the IPC.
2. The prosecution story, in brief is that, complainant Shivnath Kodaku lodged a report that on 07.06.2018 at about 7:30 O'clock when he along with his wife (deceased) was returning from his in-laws house, the accused persons along with another person intercepted them and assaulting his

wife (deceased) with hands, fist and legs resulted which complainant's wife sustained grievous injuries on chest, abdomen, neck and back. Thereafter, deceased admitted in a hospital of Balrampur, doctor referred her to hospital of Ambikapur and due to serious condition doctors referred her at Raipur hospital but due to money problem complainant took the deceased in his house, where on 15.06.2018 she died, due to caused grievous injuries. Based on this offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and the applicants are in jail since 24.06.2018, there is no likelihood of their case being decided in near future, therefore, the present appellants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application submitting that the applicants did a very heinous crime, the present applicants along with another persons assaulted a lady resulted which deceased sustained grievous injuries and due to which she died so, it is not a fit case to release them on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release them on bail.
7. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**