

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 695 of 2020**

1. Smt. Rati Devi Sahu W/o Raj Kumar Sahu Aged About 28 Years R/o Village Dyodhi, Police Station Chandani, District - Surajpur, Chhattisgarh.
2. Smt. Udasiya Sahu @ Rishiya Sahu W/o Ramlakhan Sahu Aged About 50 Years R/o Village Dyodhi, Police Station Chandani, District - Surajpur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Chandani, District - Surajpur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ashok Kumar Shukla, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/03/2020**

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. 48/2019 registered at Police Station-Chandani, District-Surajpur (C.G.) for the offence punishable under Section 302/34 of the IPC.
2. The prosecution story, in brief is that, a merg intimation report was lodged that on 07.09.2019 at about 7:30 am., when deceased Devsiya Sahu was grazing her cattle, at that time, due to the land dispute, the present applicants along with other co-accused persons assaulted to the deceased with the help of Axe, as a result of the same the deceased sustained grievous injuries and died. Based on this, offence has been registered against the present applicants and other co-accused persons.
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 the main allegation is against the co-accused Ramlakhan Sahu who assaulted to the deceased. He next submits that the applicants are in jail since 09.09.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the main allegation is against the co-accused Ramlakhan Sahu. The applicants are 28 and 50 years old ladies and the applicants are in jail since 09.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

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