

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****M.Cr.C. No. 1468 of 2021**

- Chandrika Bai W/o Pawan, Aged About 27 years, Caste-Korwa, R/o Village-Pandripani (Bhitghara), Police Station – Bagicha, District Jashpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through the Station House Officer, Police of Police Station – Bagicha, District - Jashpur (C.G.)

---- State/Non-applicant**And****M.Cr.C. No. 2895 of 2021**

- Jitendra @ Chono S/o Kamal Ram, Aged About 22 years, Caste – Korwa, R/o Village – Pabdrapani (Bhitghara), Police Station – Bagicha, District Jashpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through the Station House Officer, Police of Police Station – Bagicha, District Jashpur (C.G.)

---- State/Non-applicant

For Applicants : Shri Sanjeev Kumar Sahu, Advocate

For Non-Applicant/State : Shri Rahim Ubwani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****10.08.2021**

1. As above both the first bail applications under Section 439 of Cr.P.C. preferred by the respective applicants arise out of the same Crime No. 215/2020 registered in Police Station- Bagicha, District Jashppur (CG) for the offence punishable under Sections 294, 506, 323 (34), 302/34 of IPC, they are being disposed of by this common order.
2. Allegations against the present applicants are that on 06.12.2020 both the

applicants was threatening to kill deceased Ratani Bai and they assaulted her by stick as a result of which the deceased sustained injuries on her leg, waist and head. During treatment in the hospital, deceased died on 24.12.2020.

3. Learned counsel for the applicants submits that the allegations against the applicants are false and fabricated, they have been falsely implicated in this case. He also submits that applicants are in jail since 26.12.2020 and due to Covid-19 pandemic, conclusion of the trial is likely to take some time, therefore, they may be granted bail.
4. On the other hand, learned State Counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case, looking to the eye witness of the case, the deceased was sustained injuries on her body due to assault made by the applicants by stick, the incident happened on 06.12.2020, deceased admitted in hospital, thereafter she discharged from hospital and she died on 24.12.2020 during her treatment at home and as per postmortem report her death was homicidal in nature as mentioned in the order of trial Court, without expressing any opinion on merits of the case, this Court is of the opinion that present are not fit cases for releasing the applicants on bail.
6. Accordingly, the bail applications i.e. M.Cr.C. No. 1468/2021 & 2895/2021 are dismissed.

Sd/-

(Gautam Chourdiya)
Judge