

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1875 of 2021

Smt. Sharda Nishad W/o Shri Bhagi Rathi Nishad Aged About 32 Years R/o Village Vyas Kongera, Thana Kanker, District North Baster Kanker Chhattisgarh

---- Applicant

Versus

The State Of Chhattisgarh Through The Station House Officer, Police Station Kanker, District North Baster Kanker Chhattisgarh

---- Respondent

For applicant - Shri Sunil Sahu, Advocate.
For Respondent/State – Shri Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

05/07/2021

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.167/2020 registered in Police Station Kanker, Distt. North Baster Kanker (C.G.) for offence punishable under sections 302, 201/34 of Indian Penal Code.
2. As per the prosecution case on 12/06/2021 the deceased Jitendra Nishad after consuming liquor had quarrel with Dharmendra and others and the applicant is mother of the deceased, thereafter Dharmendra threw certain cement bag whereby Jitendra Nishad got injured, subsequently his body was hanged in the tree to show it as death by suicide.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, the main allegation is against Dharmendra Nishad about assault and against this applicant the mother the allegation of disappearance of the evidence has been alleged, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail and would submit that present applicant instigated the offence to be caused.

5. Taking into evidence and the statement of Suresh Kumar Patel the seizure witness and Jagmohan Netam they have not supported the case of the prosecution. Taking into nature of allegation against the applicant and she being lady, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE