

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4491 of 2020

- Smt. Jyoti Yadav W/o Late Bhim Yadav Aged About 30 Years R/o S-32, House Of Chandrahas Chandrakar, Avanti Vihar, Khamhardih, Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khamardih, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. Dharmesh Shrivastava, Advocate

For Respondent : Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05.01.2021

1. The applicant has preferred First Bail application u/s 439 of Cr.P.C. for grant of regular bail as she is arrested on 02.12.2019 in connection with Crime No. 71/2019 registered at Police Station Khamhardih, District Raipur C.G. for offence punishable under sections 302, 120-B, 34 of IPC.
2. As per the prosecution case, date of incident was 08.11.2019, the applicant Jyoti Yadav who is the wife of the deceased Bhim Yadav administered poison in connivance with Shiv Yadav with whom she was in love and subsequently the husband of the applicant died.
3. Learned counsel for the applicant would submit that the incident was initially recorded on 10.11.2019 and the deceased was alcoholic and used to drink a lot and at the instance of the victim only the deceased was admitted to the hospital and therefore no evidence exist against the applicant and he prays that the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and read out the statement of Nandni Yadav and would submit that she has seen the applicant has administered poison in the liquor of Bhim Yadav. He further submits that the cause of death is due to poisoning.
5. Perused the statement of Nandni Yadav. Considering the statement of Nandni Yadav, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti