

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6667 of 2021**

1. Pankaj Kushwaha S/o Shri Ramprit Kushwaha Aged About 26 Years
2. Saraswati Kushwaha W/o Ramprit Kushwaha Aged About 50 Years
3. Ramprit Kushwaha S/o Late Dukhi Kushwaha Aged About 55 Years

All are R/o Village Bhala, Out Post - Vijaynagar, P.S. - Ramanujganj, District Balrampur Ramanujganj C.G.

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Out Post - Vijaynagar, P.S.- Ramanujganj, District Balrampur Ramanujganj (Chhattisgarh)

---- Respondent

For Applicants :- Mr. Bhupendra Singh, Advocate
For Respondent-State :- Mr. Sudeep Agrawal, Dy.A.G.

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ
Order On Board

08/09/2021

1. Heard.
2. This is a **second** application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.160/2020, registered at Police Station O.P. Vijaynagar P.S.

Ramanujganj, District Balrampur, Ramanujganj C.G. for the offence punishable under Sections 326/34 of the I.P.C. and Sections 25, 27 of the Arms Act.

3. Earlier, the first bail application was dismissed by a detailed order on merits.
4. On allegation that the injured is having illicit relation with one Surajlal, she was tied to a cot at about 9.00 pm on 6.9.2020 and these applicants along with Nandlal were trying to extract confession from the injured about her relation with Surajlal. When she denied to have any illicit relation with Surajlal, her husband Nandlal put her hand over a wooden bar of the cot and chopped off all fingers of her right hand. These applicants were present at the place of occurrence, but did not stop Nandlal, rather by mutely witnessing the incident and by taking part in making interrogation, they participated in the crime, therefore, they are equally responsible for the act.
5. Referring to the deposition of the injured, it is argued that these applicants have not participated in the crime and their names were mentioned in the FIR after deliberation. This Court would not comment on the impact of the statement made by the victim/injured in course of trial which will be seen by the trial Court while deciding the trial.
6. For the present, I am not inclined to release the applicants on bail. Accordingly, the **second** bail application is rejected.

7. Considering the entire fact situation of the case, the trial Court is directed to expedite the trial and to make all possible endeavor to conclude the same at the earliest.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Ayushi