

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7830 of 2020

Anjali Uraon W/o Late Ramadhar Uraon Aged About 30 Years Resident Of
Pandripani, P.S. Balco Nagar, Distt. Korba, Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station Balco
Nagar, Distt. Korba, Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Vimal Kumar Tondey, Advocate
For Respondent/State	:	Shri Lalit Jangde, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/01/2021

Heard.

1. The applicant has been arrested in connection with Crime No.63/2020 registered at Police Station- Balco Nagar, District Korba (CG) for the alleged commission of offence under Section 302, 201 of IPC.
2. Case of the prosecution is that the applicant and her husband had repeated quarrel and it is alleged that the applicant strangled to death her husband.
3. Learned counsel for the applicant would submit that the allegation of applicant committing murder of her own husband is highly improbable as 164 Cr.P.C. statement of the sister-in-law recorded by Magistrate shows that there was some dispute and quarrel between the applicant and her husband, the applicant had left for Anganbadi Centre and when her husband was found dead, she was not at home but she was called back but only on the basis of suspicion that there was a quarrel earlier, applicant has been involved. He would also submit that the daughter of the applicant is merely 4 years old and she is not at all competent to give any statement, therefore, whatever has been recorded by the Magistrate as statement of 4 years old daughter could not be looked into.
4. On the other hand, learned counsel for the State opposes the prayer and submits that apart from the statement of the sister-in-law regarding serious

quarrel between the applicant and her husband, both of them holding axe in their hand on the previous night, the child witness has stated in 164 Cr.P.C. statement before the Magistrate regarding applicant strangulating her husband to death which is supported from the medical evidence of death due to strangulation.

5. Considering the submission and material, present is not a fit case for grant of bail. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge