

HIGH COURT OF CHHATTISGARH, BILASPUROrder reserved on 24-02-2021Order delivered on 10-03-2021MCRC No. 8559 of 2020

1. Pankaj Kushwaha S/o 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 Police Station
Ramanujganj Chhattisgarh

---- Applicants

Versus

1. State Of Chhattisgarh Through Out Post Vijaynagar Police Station
Ramanujganj District Balrampur-Ramanujganj Chhattisgarh

---- Respondent

For Applicants	Mr. Awadh Tripathi, Advocate
For Respondent /State	Ms Akshara Amit, Panel Lawyer

Hon'ble Mr. Justice Prashant Kumar Mishra

CAV Order

1. Heard.
2. The applicants have preferred this bail application for grant of bail as they have been arrested in connection with Crime No.160/2020 registered at Police Station - Out Post Vijaynagar Police Station Ramanujganj District Balrampur-Ramanujganj (CG), for the offence under Section 326/34 of the Indian Penal Code and Sections 25 & 27 Arms Act.

3. Applicant No.1 Pankaj Kushwaha is the brother-in-law (देवर) whereas the applicants No.2 & 3 Saraswati Kushwaha & Ramprit Kushwaha are the mother-in-law & father-in-law, respectively of informant/injured Urmila Kushwaha, who was married with Nandlal Kushwaha about 15 years back.
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. Although the offence under Section 326 of the IPC is triable by the JMFC, but it carries punishment of life imprisonment. The act of the accused persons is inhuman and brutal, therefore, this Court is not inclined to grant bail to the applicants.
6. Accordingly, the bail application is rejected.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri