

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8089 of 2021**

Sukmati Tandon W/o Mahavir Tandon Aged About 35 Years R/o Village and Post Bamhanipali, Police Station Sariya Tahsil Baramkela, District Raigarh Chhattisgarh. --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police Station Sariya, District- Raigarh Chhattisgarh. --- **Respondent**

For the Applicant : Mr. S.K. Ratre and Mr. Pradeep Jogi,
Advocates.

For the Respondent : Mr. Arjit Tikwari, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****29.10.2021**

1. This is first bail application filed under section 439 of the Code of Criminal Procedure for grant of bail to the applicant in Crime No.81/2019 of Police Station Sariya, District Raigarh, Chhattisgarh, for the offence punishable u/s 302 of IPC.
2. As per the prosecution case, the applicant was not happy with her son Lokesh, aged about 8 years, as he was in the habit of forgetting things. She disclosed the intention to her sister Hemlata that she would kill him. On a fateful day, when Hemlata came she found that the present applicant was sitting with a blood stained spade outside the room and the dead body of Lokesh was found inside the room. Thereafter, the applicant was arrested.
3. Learned counsel for the applicant submits that 8 witnesses have been examined and they have not supported the case of prosecution, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail application.

5. Perused the the statement of Hemlata, the sister of the present applicant, to whom the intention was disclosed and subsequently, when Hemlata came to the house of applicant, the applicant was found sitting with the blood stained spade out side the room and from inside the room the dead body of Lokesh was recovered. The place of incident is the house of the present applicant.
6. Taking into consideration the gravity of allegations, I am not inclined to allow the bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**