

(2018) 09 CHH CK 0040

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 5923 Of 2018

Amrit Lal Baghel And Ors

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 4, 2018

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 34, 304B

Hon'ble Judges: Rajendra Chandra Singh Samant, J

Bench: Single Bench

Advocate: R.S. Patel, Lav Sharma

Final Decision: Allowed

Judgement

Rajendra Chandra Singh Samant, J

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicants for grant of

regular bail. Their first bail application before this Court was dismissed for want of prosecution. The applicants have been arrested on 27-03-2018 in

connection with Crime No.91/2018 registered at P.S. - Akaltara, District-Janjgir-Champa, Chhattisgarh for the offence under Section 304-B/34 of the

IPC.

2. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. They are in jail since 27-03-2018. No case is

made out against them. Similarly placed co-accused Smt. Anita Baghel has been granted bail by this Court in MCRC No.4509 of 2018 vide order

dated 11- 07-2018. Hence, it is prayed that these applicants may also be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. Deceased Priti Bhagel was married to co-accused Deep Singh Baghel. The allegation against these applicants and other co-accused persons is that

they were subjecting the deceased to cruel treatment for demand of one Alto Car and cash of Rs. 1 Lakh. The dead body of the deceased was found

lying on the railway track. Subsequent to that, the merg was recorded and the offences have been registered.

6. Considering on the entire material present in the case diary and also considering this fact that similarly placed co-accused has been granted bail by

this Court, without commenting anything on merits of the case, I am of this opinion that these applicants should also be granted regular bail.

7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that

the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the

satisfaction of the concerned Court, for their appearance as and when directed.

8. Certified copy as per rules.