

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3870 of 2015**

Smt. Bhineshwari Kaushal, W/o Shrawan Kumar Kaushal aged about 26 years, R/o Ganesh Chowk, Charoda-Bhathapara, Post Office & Police Station Bhilai-3, District Durg (C.G.)

---Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station Bhilai-3, District Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Non-applicant	:	Mr. Neeraj Pradhan, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/08/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 154/2015, registered at Police Station Bhilai-3, District Durg (C.G.), for the offence punishable under Sections 306/498 (A)/34 of IPC.

2. Case of the prosecution, in brief, is that Smt. Ujjwala Kaushal committed suicide and in the suicidal note, she has made allegations of longstanding cruelty against the husband and mother-in-law including the present applicant.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that applicant is wife of Shrawan Chandel and sister-in-

law (*Devrani*) of deceased. He would also submit that no custodial interrogation is required and no useful purpose would be served by keeping her in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 29/05/2015, therefore, she may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; extent of nexus and proximity between conduct and behaviour of the present applicant with the suicide committed by deceased; charge sheet has been filed and applicant is in jail since 29/05/2015, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE