

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6726 of 2015

Priya Bai, W/o. Kedar Chauhan, Aged About 50 Years, R/o. Village Barpali, P.S. & Tah. Gharghoda, Distt. (Rev. & Civil), Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through P.S. Gharghoda, Distt. (Rev. & Civil) Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Udhaw Sharma, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.325/2015, registered at Police Station– Gharghoda, District Raigarh (C.G.) for the offence punishable under Section 306/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased who was married on 02.05.2014 to Lakhan Lal committed suicide because of the fact that she was subjected to assault and her character was being assassinated and further she was not able to bear the child. Consequently, the deceased committed suicide on 26.09.2015, as she was abetted to commit suicide; therefore, the applicant has been inculpated.
3. Learned counsel for the applicant would submit that at the time of incident, the present applicant was not present in the place of incident. He further submits that the charge sheet has been filed

and the evidence do not support the ingredients of Section 107 of IPC and the applicant has falsely been implicated in this case; therefore, she may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and taking into consideration the facts and circumstances of the case and the evidence which has come on record, without any observation on merit, for the purpose of bail, I am inclined to release the applicant on 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 her 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/-
(Goutam Bhaduri)
Judge