

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3433 of 2015**

1. Smt. Shushila Chauhan W/o Late Manharan Chauhan Aged About 45 years R/o Village Limtara, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh
2. Kumari Rekha Chauhan D/o Late Manharan Chauhan Aged About 19 Years R/o Village Limtara, Police Station Kumhari, Tahsil Dhamdha, District Durg Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through District Magistrate Durg, District Durg Chhattisgarh

---- Non-applicant

For Applicants: Shri N.S. Dhurandhar, Advocate.
 For Non-applicant/State: Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/07/2015**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.26/2015 registered at Police Station –Kumhari, District Durg for the offences punishable under Sections 304(B), 34 of the Indian Penal Code.

(2) Case of the prosecution is that marriage of deceased

Manisha Chauhan was solemnized with co-accused – Hariom Chouhan in the year 2010 and immediately after marriage applicants & co-accused person started harassing her and treated her with cruelty in connection with demand of dowry and out of humiliation and frustration, she committed suicide by burning.

(3) Learned counsel appearing for the applicants would submits that applicant No. 1 is father-in-law & applicant No. 2 is sister-in-law of the deceased and there are general & omnibus allegations against the applicants. He further submits that applicant No. 1 is the old aged lady whereas applicant No. 2 is unmarried girl and, as such, there is no role of the present applicants in the crime in question, in fact, she committed suicide being unhappy on account of being issueless and they are in jail since 14.03.2015 and no useful purpose would be served in detaining them in jail and, therefore, the applicants may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts and circumstances of the case, and further considering the role of the present applicants in the offence in question, who are mother-in-law & brother-in-law of the deceased; considering their pre-trial detention and the charge sheet has already been filed against them, this Court is of the opinion that it is a fit case to release the

applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants **Smt. Shushila Chauhan & Kumari Rekha Chauhan** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-