

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4232 of 2015

Puran Bai, Wd/o Late Daduram Bareth, aged about 55 years, caste Bareth, R/o Odekera, Police Station and Tahsil Jaijaipur, Civil and Revenue District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Jaijaipur, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant: Mr. Pushpendra Kumar Patel, Advocate.

For Non-applicant: Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

24/08/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.73/2014 {ST No.154/2014 pending in the Court of 1st Additional Sessions Judge, Sakti}, registered at Police Station Jaijaipur, Distt. Janjgir-Champa, for the offence punishable under Section 304B read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that marriage of Vishwanath Karsh was solemnized with Sarita Bai on 15-5-2011 and immediately, thereafter, the applicant and other co-accused harassed Sarita Bai, treated her with cruelty and demanded dowry by which she committed suicide on 17-3-2014 by consuming poison.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, she has been falsely implicated in the case and she

is in custody since 20-7-2015. There are general and omnibus allegations against the present applicant. Husband of the deceased – Vishwanath Karsh had already been granted bail by a coordinate Bench of this Court vide order dated 8-8-2014 passed in M.Cr.C.No.3767/2014 and case of the present applicant is similar to that of the co-accused who has been granted regular bail.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, allegation against the present applicant, the fact that husband of the deceased had already been granted regular bail, pre-trial detention of the applicant, the fact that charge-sheet has already been filed and no custodial interrogation of the applicant is required, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for her appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge