

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3608 of 2015

- Radha Bai, widow of Late Ramlal Sahu, Aged About 55 years R/o Near Thakur Dev Choura, Sarora, Police Station-Urla, Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Station- Urla, Raipur District Raipur, Chhattisgarh

---- Respondent

For Applicant:	Smt. Fouzia Mirza, Advocate.
For Respondent/State:	Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/08/2015

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 59/2015 registered at Police Station Urla, Distt. Raipur for the offences punishable under Sections 306, 498-A & 304B/34 of the Indian

Penal Code.

(2) Case of the prosecution is that marriage of Babita Sahu (since deceased) was solemnized with the applicant's son on 26.01.2014 and out of cruelty meted out and dowry demanded by the applicant & other co-accused persons, she set herself ablaze by pouring kerosene oil on her body on 22.8.2014 and committed suicide.

(3) Learned counsel for the applicant submits that the applicant has falsely been implicated in the case as she has not committed any offence. He further submits that applicant is mother-in-law of the deceased; there is some delay in lodging the FIR; applicant is in detention since 15.03.2015 and the charge sheet has already been filed and, as such, no useful purpose would be served in detaining her in jail and, therefore, the applicant 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 & circumstances of the case; further considering the role of the present applicant in crime in question; she, being woman, is languishing in jail since 15.03.2015; charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly,

the application is allowed.

(6) Accused/applicant is directed to be released on bail on his 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. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-