

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4334 of 2015**

Lata @ Hemlata Sahu, Wife of Dileshwar @ Ballu Sahu, aged about 30 years, resident of Village Hemunagar, Police Station Torwa, District Bilaspur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh through, Police Station Lormi, Revenue District Mungeli, Civil Distt. Bilaspur (C.G.)

---- Respondent**And****MCRC No. 4394 of 2015**

1. Panchram, S/o Chhoturam, aged about 36 years, R/o village Salheghori, Police Station Lormi, Tahsil Lormi, District Mungeli (C.G.)
2. Pardeshi, S/o Tijauram Sahu, aged about 55 years, R/o Village Dhourabhatha, Police Station and Tahsil Lormi, District Mungeli (C.G.)
3. Jhulbai, W/o Pardeshi, aged about 50 years, R/o village Dhourabhatha, Police Station and Tahsil Lormi, District Mungeli (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh Through: Police Station – Lormi, District Mungeli (C.G.)

----Non-applicant

For Applicant:	Shri Vijay Kumar Mishra, Advocate in M.Cr.C. No. 4334/2015.
For Applicants:	Shri Ravish Verma, Advocate in M.Cr.C. No. 4394/2015.
For Respondent/State:	Shri Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

31/08/2015

Heard.

(1) Above mentioned both the bail applications filed under Section 439 of the Code of Criminal Procedure arise out of a common Crime No.246/2015, registered at Police Station Lormi, District Mungeli for the offence punishable under Section 304-B/34 of the Indian Penal Code, therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief, is that Vimla Bai, wife of Shri Dilip is alleged to have committed suicide on 05/05/2015 on account of cruelty and dowry being demanded by the applicant and six other co-accused persons.

(3) Counsel for the applicants submits that applicants are father-in-law, mother-in-law, brother-in-law and sister-in-law, of the deceased and they have not committed any offence as they are residing separately from the deceased and her husband and there are general & omnibus allegations against them. He further submits that the applicants are in jail since 17.07.2015 & 29.05.2015, respectively; and one co-accused person namely Chaiti Bai has already been granted regular bail by this Court vide order dated 13.07.2015 in M.Cr.C. No. 3220/2015 and, therefore, the present applicants may also be entitled for bail on

the ground of parity.

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

(5) Considering the totality of the facts, in particular the fact that co-accused person has already been granted regular bail by this Court vide order dated 13.07.2015 in M.Cr.C. No. 3220/2015; the applicants are languishing in jail since 17.7.2015 & 29.05.2015, respectively, role of the applicants in the offence in question, there are general & omnibus statements against them; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants **Lata, Panchram, Pardeshi & Jhulbai** 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 till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-