

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5368 of 2015**

Geeta Bai Chandra Wd/o Omprakash Chandra, aged about 50 years, R/o Village-Kataud, P.S. – Dabhra, Civil & Revenue Distt.-Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh, through, Station House Officer, Police Station–Dabhra, Distt.Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr.Awadh Tripathi, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/10/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.117/2015, registered at Police Station-Dabhra, District-Janjgir-Champa (C.G.), for the offence punishable under Sections 304B and 201/34 of the IPC.
2. Case of the prosecution, in brief, is that marriage of son of the applicant namely Lalit was solemnized with deceased Shakuntala Bai on 19.3.2010 and out of cruelty and demand of dowry made by the applicant, she committed suicide on 24.5.2014 and thereby committed the aforesaid offences.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and she has falsely been implicated in crime in question. He would further submit that the applicant is mother-in-law of the deceased. Father of the deceased was examined under Section 161 of the CrPC on 25.5.2014, in which she has not made any statement, but improving his statement, father of the deceased has lodged the report on 7.5.2015 in which

allegation of demand of dowry has been made. He would also submit that there is delay in lodging the F.I.R. of about one year as incident took place on 24.5.2015 and F.I.R. has been lodged on 7.5.2015 and there is general and omnibus statement against the present applicant. She is aged about 50 years and is in custody since 7.5.2015 and charge-sheet has already been filled.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; extent of delay in lodging the F.I.R.; statements of father of the deceased dated 25.5.2014 and 8.5.2015, pre-trial detention of the applicant and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the 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/-

(Sanjay K. Agrawal)
JUDGE

B/-