

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 782 of 2016

1. Smt. Lakhrani, W/o. Babulal Kushwaha, aged about 50 years, R/o. Village-Kakanesha, Police Station – Basantpur, District – Balrampur-Ramanujganj (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : P.S. - Basantpur, District – Balrampur - Ramanujganj (C.G.)

---- Respondent

For Applicant	: Mr. Vikash Pandey, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12/08/2016

1. Apprehending arrest in connection with Crime No.101/2015 registered at Police Station- Basantpur, District – Balrampur-Ramanujganj (C.G.), for offence punishable under Section 306, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that on 19.12.2014, Manju wife of Raju Kushwaha and daughter-in-law of the present applicant committed suicide by jumping into Well. It is alleged that the applicant being mother-in-law used to torture the deceased and abetted her to commit suicide. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that some dispute took place in between Raju Kushwaha and Manju, the husband and the deceased and all of a sudden, she took such steps and the

applicant has not abetted the deceased to commit suicide. Therefore, it is prayed that the applicant may be extended the benefit of Section 438 of Cr.P.C.

4. Per contra, learned State counsel opposes the application for grant of bail.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and morgue statement. Considering the allegation against the applicant and the fact that charge-sheet in this case has been filed on 04.03.2016. Further considering the nature of allegation and the age of the applicant, this Court is inclined to extend the benefit of anticipatory bail to the applicant, as custodial interrogation of the applicant in this case may not be required.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge