

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4716 of 2016**

- Smt. Kajal Sahu W/O Harishanker Sahu Aged About 30 Years R/O Ramkundpara, Police Station Azad Chowk, Raipur, Tahsil & District Raipur, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Purani Bhilai 03, District Durg, Chhattisgarh.

**---- Respondent**

-----  
For Applicant : Mr. Tarendra Kumar Jha, Advocate

For Respondent/State : Mr. Neeraj Jain, Govt. Advocate.  
-----

**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**22-08.2016**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 21-6-2016 in connection with Crime No. 71 of 2013, registered at Police Station Purani, Bhilai, District Durg (CG) for the offence punishable under Sections 366, 302, 201, 120-B of the IPC.
2. Case of the prosecution, in brief, is that on 8-2-20013 infant child of Dineshwari Bai was missing from her house. Subsequently, after two days dead body of the child was found. It is alleged that Dineshwari Bai was carrying pregnancy before her marriage. When on the date of incident Dineshwari Bai wanted to give medicine to child, she was stopped and asked to give food to her husband and thereafter when she came back her child was found missing.
3. Learned counsel appearing for the applicant would submit that the applicant is sister-in-law of Dineshwari Bai whose infant was found

dead. The applicant has been falsely implicated in the case and no evidence is available against the applicant. He would further submit that the incident is of 2013 and on suspicion the applicant has been inculpated along with entire family members. It is further submitted that the applicant is a woman and she is in jail along with her child since 21-6-2016, therefore, she may be released on bail.

4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statement of Dineshwari Bai and other witnesses which would show that the case is based on circumstantial evidence.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that the applicant is a lady and she was arrested after 3 years of the incident and she in jail along with her child since 21-6-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-  
**(Goutam Bhaduri)**  
Judge

Raju