

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 283 of 2016

1. Smt. Sushila Miri, W/o. Rathram Miri, aged about 35 years, R/o. Saraipali (Uchchabhatthi), Police Station – Urga, Tahsil and District-Korba (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Urga, District- Korba (C.G.)

---- Respondent

For Applicant	: Mr. Madhunisha Singh, Advocate
For Respondent/State	: Mr. Gary Mukhopadhyay, Dy.G.A

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/03/2016

1. Apprehending arrest in connection with Crime No.265/2015 registered at Police Station- Urga, District – Korba (C.G.), for offence punishable under Section 498(A), 304(B) read with Section 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, deceased Reshma Bai was married to Firat Ram before three years of the date of incident on 12.03.2015. She died because of poison. It is case of the prosecution that deceased was subjected to cruelty for demand of dowry and she committed suicide.
3. Learned counsel for the applicant would submit that deceased herself was troubled because of the fact that she was not able to conceive the child and therefore she has committed suicide. He would further submit that the applicant is sister-in-law of the deceased has been falsely implicated in this case and nothing has been stated against this applicant. It is further submitted that

similarly placed co-accused in this case have been enlarged on anticipatory bail vide order dated 26.02.2016 in M.Cr.C.(A) No.98/2016 and M.Cr.C.(A) No.99/2016 and the case of the applicant is similar, therefore, the counsel prays that the applicant may also be extended the benefit of anticipatory bail.

4. Per contra, the State counsel opposes the prayer for grant of anticipatory bail.
5. I have perused the statement of the mother Teerath Bai which was recorded immediately on 12.03.2015 i.e. on the date of incident wherein no allegations have been made against the applicant and only general allegation has been made. However, It is further stated that the deceased was not able to conceive the child. I have also perused the FIR wherein general allegations have been made. Taking in to such merge statement and the documents and further taking in to the fact that similarly placed co-accused in this case have been released on anticipatory bail by this Court vide order dated 26.02.2016 in M.Cr.C.(A) No.98 of 2016 and M.Cr.C.(A) No.99 of 2016, I am inclined to extend benefit of anticipatory bail to the applicant.
6. 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