

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2275 OF 2016**

1. Nandlal son of late Bistruram Sahu aged about 40 years
2. Smt. Triloki Bai wife of Nandlal Sahu aged about 38 years

Both are resident of village Achholi Police Station Dongargaon Tahsil Chhuriya District Rajnandgaon C.G. At present Pragati Nagar Bangali Camp Chandrapur (MS)

---Applicants**Versus**

State of Chhattisgarh through Station House Officer Police Station Dongargaon District Rajnandgaon C.G.

---Non-applicant

For Applicants	:	Mr. Rahul Mishra, Advocate
For Non-applicant	:	Mr. O.P. Sahu, GA

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/05/2016**

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 applicants who have been arrested in connection with Crime No. 324/2015, registered at Police Station Dongargaon, Distt. Rajnandgaon (C.G.), for the offence punishable under Section 304(B), 34 of I.P.C.

2. Case of the prosecution, in brief, is that, marriage of deceased Nandkumari was solemnized with the applicants' son Faleshwar Das Sahu on 17/05/2013 and on account of cruelty in connection with demand of dowry extended by present applicants, she committed suicide by burning on 10/01/2015 and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit applicants have not committed any offence and have been falsely implicated in the case. He would further submit that there is general and omnibus statement against the applicants and they are residing separately with the deceased and their son. He would lastly submit that charge sheet has been filed and applicants are in jail since 08/02/2016, therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

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; role of the present applicants in offence in question; defence of the applicants; charge sheet has already been filed and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, **Nandlal and Smt. Triloki Bai** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court. Applicants shall appear regularly before the Investigating Officer/concerned trial Court.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge