

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2462 of 2016

1. Suman Sah, W/o. Chandan Sah, Aged About 20 Years, R/o. Teen Tanga Karare Village, Achal Gopalpur, District Bhagalpur (Bihar) Present Address: Gandhi Market, Zone-2, Khursipaar, Bhilai, District Durg, Chhattisgarh.
2. Shanker Sah, S/o. Late Jagdish Sah, Aged About 62 Years, R/o. Gandhi Market, Zone-2, Khursipaar, Bhilai, District Durg, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : Station House Officer, Khursipaar, Bhilai, District Durg, Chhattisgarh

---- Respondent

For Applicants : Mr. Anurag Jha, Advocate

For Respondent : Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.8/2016, registered at Police Station- Khursipaar, Bhilai, District Durg (C.G.) for the offence punishable under Section 306 or 304(B), 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the deceased Smt. Madhuri Sah committed suicide by hanging on 01.01.2016 as she was subjected to cruelty for demand of dowry by the applicants and other co-accused. She committed suicide within seven years of marriage, therefore, the offence has been committed.
3. Learned counsel for the applicants would submit that the applicant No.1, Suman Sah, is sister-in-law (Nanand) of the deceased and applicant No.2, Shanker Sah, is father-in-law of the deceased and it

is contended that Suman Sah used to reside at Bhagalpur (Bihar) and she has falsely been implicated in this case and against the father-in-law, applicant No.2, general allegations have been made. It is further stated that the applicant No.1 is having a Baby of one year, therefore, considering such facts, the applicants may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. On a previous date, it was enquired that whether any previous report was made by the deceased against the present applicants as would be evident from the statement of Shobha Sah. The State counsel, as per the report, submits that initially a report was made against Sangita Sah and Laxmi Sah on 31.08.2015 by the deceased that she was subjected to cruelty and was not allowed to stay at her place.
6. Perused the case diary and the statement. Considering the statement and the fact that the charge sheet has been filed and further considering the nature of allegation attributed to the applicants and the fact that the applicant No.1 has an infant Baby, I am inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge