

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4571 of 2016

- Ku. Vinita S/O Paras Ram Jatvar Aged About 30 Years R/O. Village Pipardula, P.S. Sarsiva, District Balodabazar - Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Station House Officer, P. S. Sarsiva, District - Balodabazar - Bhatapara Chhattisgarh

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-8-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 1-7-2016 in connection with Crime No. 93 of 2016, registered at Police Station Sarsiva, District Balodabazar, Bhatapara (CG) for the offence punishable under Section 306 of the IPC.
2. Case of the prosecution, in brief, is that on 28-6-2016 deceased Indira Jatwar committed suicide by hanging. She was married to one Lal Krishna Jatwar in the year 2002 and out of their wedlock three children were born. It is alleged that the present applicant who is sister-in-law of the deceased used to comment her that she is an illiterate lady and she is not upto standard of her brother and thereby the applicant abetted the deceased to commit suicide.
3. Learned counsel appearing for the applicant would submit that the the applicant has been falsely implicated in the case, the marriage

of the deceased with Lal Krishna Jatwar took place in the year 2000 and out of their wedlock three children were born and she committed suicide on the suspicion that her husband was having an extra marital affair. He would further submit that no allegations of abetment have been attributed to the present applicant, charge-sheet has been filed in this case and the applicant is in jail since 1-7-2016, therefore, the applicant may be enlarged on bail.

4. *Per contra*, learned 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 Santosh, brother of the deceased wherein no allegations of abetment have been attributed to the present applicant.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and also the fact that charge-sheet has been filed, the applicant is in jail since 1-7-2016 and also further considering the statement of brother of the deceased, I am 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 her 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 her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju