

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1336 of 2015

1. Smt. Chander Bai, aged about 53 years, W/o. Late Sukhdev Sahu,
 2. Rajesh Sahu, aged about 28 years, S/o. Late Sukhdev Sahu,
- Both are resident of Village-Amali, Police Station – Kota, District – Bilaspur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Kota, District – Bilaspur (C.G.)

---- Respondent

For Applicants	: Mr. Goutam Khetrapal, Advocate
For Respondent/State	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/02/2016

1. Apprehending arrest in connection with Crime No.399/2015 registered at Police Station- Kota, District – Bilaspur (C.G.), for offence punishable under Section 306, 34 of Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicants are the mother-in-law and brother-in-law of the deceased, Bhagwati and the deceased was married to Rajaram in the year 2002. It is the case of the prosecution that the deceased went to Delhi with her husband and thereafter his husband met with an accident and became disabled and thereafter, they came back and subsequently, the deceased was subjected to torture and was abetted by these applicants to commit suicide, consequently, the deceased consumed poison and committed suicide.

3. Learned counsel for the applicants would submit that they have been falsely implicated in this case and neither they have abetted the deceased to commit suicide nor they have done anything. He further submits that the husband of the deceased met with an accident and became disabled and therefore, the deceased might have committed suicide. Therefore, the counsel prays that the applicants may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel as well counsel for the objector opposes the bail application.
5. Perused the case diary and the statement. Perusal of the case diary and the statements would show that the deceased was married to Rajaram, who met with an accident at Delhi thereafter he came back to their village and consequently were residing at village. Taking into the statements of the relatives, this Court is inclined to extend the benefit of anticipatory bail to the applicants as no custodial interrogation may be required in this case.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram