

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4331 of 2016

1. Smt. Milan Bai, W/o. Shri Rama Sahu, aged about 46 years, R/o. Village- Rasouta, Police Station and Tahsil – Pamgarh, Civil and Revenue District -Janjgir-Champa (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant : Mrs. Sima Singh, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06/09/2016

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 applicant who has been arrested in connection with Crime No.120/2016, registered at Police Station – Pamgarh, District – Janjgir-Champa (C.G.) for the offence punishable under Section 304B/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that one Sita Bai committed suicide by setting herself ablaze on 21.05.2016. The deceased, Sita Bai was married to Rajesh, who is the son of the present applicant and the present applicant is mother-in-law. It is alleged that the applicant and her son demanded motor cycle from Sita Bai, the deceased and in absence thereof, she was subjected to torture. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that no allegations were attributed against the present applicant and the deceased and her husband were in some dispute and the present applicant, mother-in-law has not committed any offence and treated the deceased with cruelty for demand of dowry. It is further submitted that the applicant is in jail since 01.06.2016, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement and the report. Perusal of the report would show that general allegations have been attributed against the present applicant and the main allegation is against the husband, Rajesh. Considering the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge