

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 839 of 2016

- Smt. Pushpa W/o Suresh Aged About 21 Years Caste Teli,
R/o Manpur, Police Station Patna, District Korea,
Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through the S.H.O. Police Station
Patna, District Korea, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the State	:	Mr. Anant Bajpai, Panel Lawyer
For the Objector	:	Mr. Abhishek Singh, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.09.2016

1. Apprehending arrest in connection with Crime No. 146 of 2016 registered at Police Station Patna, Distt. Korea (C.G) for the offences punishable under sections 306 & 498-A IPC the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 11.07.2016 one Pinki committed suicide by jumping into a well. It is alleged that she was subjected to torture by the applicant and other in-laws along-with husband of deceased and therefore she was abetted to commit suicide.
3. Learned counsel for the applicant submits that the applicant is co-sister-in-law (Jethani) and the marriage of deceased was performed with Rajesh 18 years back and the applicant has not abetted the deceased to commit suicide as the applicant was residing separately with her

husband and children, therefore, no offence has been committed by the applicant.

4. Per contra, learned State Counsel and learned counsel for the objector oppose the bail and would submit that at the time of death a poison bottle was seized by the police near the well and the allegations leveled against the deceased that she was having relations with the neighbor were untenable. It is further submitted that because of domestic violence, mediation took place and during mediation, she went to the house of co-accused on 10.07.2016 and thereafter the incident took place.
5. Perused the case diary and the statements of mother of deceased namely Bhagwati and brother Jagdeep Sahu.
6. Taking into nature of allegations levelled against the applicants, which are general in nature and considering the totality of the facts and circumstances of the case, I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting her or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that she will make herself available for interrogation before the investigating officer as and when required;
 - (ii) that she will 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 any police officer;
- (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that she will appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao