

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4932 of 2016

1. Dewantin Bai, W/o. Narayan, aged about 35 years, Caste- Satnami, Occupation – Agriculture, R/o. Village Mundgaon, Tehsil – Dongargarh, District – Rajnandgaon (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Police Station – Dongargarh, District – Rajnandgaon (C.G.)

---- Respondent

For Applicant	: Mr. B.D. Guru, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/08/2016

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.188/2016, registered at Police Station – Dongargarh, District – Rajnandgaon (C.G.) for the offence punishable under Section 306 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 06.12.2015 one Rekhanti Bai committed suicide by setting herself ablaze. It is alleged that the present applicant, who is the neighbor used to clamp allegation on the deceased that she has illicit relation with the husband of the present applicant. Thereby the applicant has abetted the deceased to commit suicide. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the altercation took place on 05.12.015 and the applicant has not abetted the deceased to

commit suicide. It is further submitted that report was made on 12.05.2016 and the delay in lodging the FIR has not been explained. 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 case diary, documents and statement. Perusal of statement of Brijlal shows that some scuffle took place on 05.12.2015 between the applicant and the deceased, thereafter, on the next day, the deceased has committed suicide. Considering the facts and circumstances of the case, and taking into the statement of the Brijlal, 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