

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5466 of 2016

Smt. Shashi Sahu W/o Vishwas Anand Sahu, Aged About 22 Years
R/o Khamhariya Road, Behind Junwani Talab, Chhouni Jewra
Sirsa, District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Bhilai-03, District Durg Chhattisgarh.

---- Respondent

For applicant - Shri T.K. Jha, Advocate.
For Respondent/State – Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/09/2016

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.71/2013 registered in Police Station Bhilai-3 (Purani Bhilai) District Durg (C.G.) for offence punishable under sections 366, 302, 201, 120-B of Indian Penal Code.
2. As per the prosecution case, on 8/02/2013 infant child of Dineshwari Bai was missing from her house. Subsequently, after two days dead body of the child was found. It is alleged that Dineshwari Bai was carrying pregnancy before her marriage. When on the date of incident Dineshwari Bai wanted to give medicine to child, she was stopped and asked to give food to her husband and thereafter when she came back her child was found missing.
3. Learned counsel for the applicant submits that the applicant is sister-in-law of Dineshwari Bai whose infant was found dead. The applicant has been falsely implicated in the case and no evidence is available against the applicant. He would further submit that the incident is of 2013 and on suspicion the applicant has been inculpated along with the entire family members. It is further submitted that the applicant is a

woman and she is in jail along with her child since 23/06/2016, therefore the applicant may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Perused the statement of Dineshwari Bai and other witnesses which would show that the case is based on circumstantial evidence. Taking into consideration the facts and circumstances of the case, nature of allegations levelled against the applicant and further considering the fact that the applicant is a lady and she was arrested after 3 years of the incident and she is in jail along with her child since 23/06/2016, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE