

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 116 of 2017

Smt. Dujbai Sahani, W/o. Late Mohan Lal Sahani, Aged About 50 Years,
R/o. Dhobni Para, Kurud, Post Office, Police Station & Tahsil- Kurud,
District- Dhamtari Chhattisgarh

--- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station- Kurud, District- Dhamtari, Chhattisgarh

--- Respondent

For the Applicant : Mr. Shivendu Pandya, Advocate

For the Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.01.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 638/2016 registered at Police Station- Kurud, District Dhamtari (C.G) for the offence punishable under Section 306/34 of Indian Penal Code.
2. As per the prosecution case, a report was made that one Mamta Nagarchi committed suicide by setting herself fire on 03.11.2016. The report was made and subsequently it was revealed that the present applicant along-with Smt. Suman Sahani called the deceased and hurled abuses. They have also blamed that the deceased has allowed the theft to be committed in the son-in-law's house and further made announcement that the deceased was engaged in prostitution along-with her sister and also extended threat, thereby has abetted the suicide.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the similarly placed co-accused Smt. Suman Sahani has been enlarged on bail by this Court on 16.01.2017 in MCRC No.16 of 2017, therefore, the present applicant may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and similarly placed co-accused has already been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge