

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4132 of 2017

1. Santosh Sahu S/o Late Kalideen Sahu, Aged About 28 Years R/o Village Khaira (Jairam Nagar) Police Station Masturi, Civil & Revenue District Bilaspur, Chhattisgarh.
2. Rajeshwari Sahu W/o Santosh Sahu, Aged About 26 Years R/o Village Khaira (Jairam Nagar) Police Station Masturi, Civil & Revenue District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Masturi, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Shri Dharmesh Shrivastava, Advocate
For State	:	Shri Avinash Singh, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/11/2017

Heard.

1. At the outset, learned counsel for the applicants seeks to withdraw application of applicant No.1 with liberty to revive in case trial is not concluded in three months.
2. Accordingly, with the liberty as prayed for, the application of applicant No.1- **Santosh Sahu** is dismissed as withdrawn.
3. Applicant No.2 – **Rajeshwari Sahu** has been arrested in connection with Crime No.189 of 2017 registered in Police Station- Masturi, District - Bilaspur (C.G.) for alleged commission of offence under Sections 306 read with Section 34 IPC.
4. Case of the prosecution, in brief, is that applicant- Rajeshwari and her

husband Santosh, co-accused, used to harass and at times assault deceased Kalideen, father of the co-accused Santosh. It is alleged that because of humiliation and harassment, deceased committed suicide by hanging.

5. Learned counsel for the applicant would submit that as far as present applicant Rajeshwari is concerned, there is no specific allegation against her and all that has been stated is that she used to accompany her husband while her husband was abusing, misbehaving and maltreating his father. He submits that as the investigation is complete, charge sheet has been filed, therefore, applicant may be released on bail.
6. On the other hand, learned counsel for the State, opposing the bail application, submits that not only the co-accused but Rajeshwari was equally involved in harassing and maltreating the deceased which led to commission of suicide.
7. Taking into consideration the submissions made by learned counsel for the respective parties, considering that the applicant is in jail since 17.5.2017 and that she is not likely to abscond or otherwise tamper with the prosecution witnesses, application of applicant No.2-Rajeshwari Sahu is allowed.
8. It is directed that **applicant No.2- Rajeshwari Sahu** shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:

- (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (ii) The applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge