

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7137 of 2017**

Rajeshwari Bhimgaj W/o Late Pawan Kumar Aged About 32 Years  
R/o Nagarpalika Colony Dhamtari Tehsil & District Dhamtari  
Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Arjuni District  
Dhamtari Chhattisgarh.

**---- Respondent**

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For applicant - Shri Pawan Shrivastava, Advocate.  
For Respondent/State –Shri Suryakant Mishra, PL.  
For objector- Shri Tridib Bhattacharya, Advocate.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**12/12/2017**

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.273/2017 registered in Police Station Arjuni, District Dhamtari (C.G.) for offence punishable under sections 304-B, 306, 120-B of IPC.
2. As per the prosecution case, one Lkeshwari Sahu committed suicide by consuming poison. It is alleged that husband of Lkeshwari Sahu, Shiv Kumar Sahu was having illicit relation with Rajeshwari Bhimgaj which was objected by her as also she was subjected to torture for demand of dowry and demand of Rs.2 lakhs was made by the mother-in-law and father-in-law of the deceased. Thereafter within 7 years of marriage she died unnatural death. Thereby offence is committed.
3. Learned counsel for the applicant submits that admittedly applicant was not family member of the deceased. Consequently, provisions of section 304-B IPC would not attract in this case. He would further submit that only omnibus allegations have been levelled and no allegation of abetment is on record which would be evident from the charge sheet and

the charge sheet has been filed, no further investigation would be necessary, therefore the applicant may be released on bail.

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

5. Perused the statement of the witnesses and one Ghanshyam Sahu who was working as President of Sahu Samaj wherein it is stated that certain complaints were made by the deceased for relation of her husband with Rajeshwari Bhimgaj also decision of one Sahu Samaj is also perused. Taking into nature of decision and the allegation, 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