

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8421 of 2016

- Smt. Poonam Bai W/o Late Anand Ram Aged About 24 Years R/o Village Chalgali, Police Station Chalgali, Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chalgali, District Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. V.K. Pandey, Advocate

For Respondent/State : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03-01-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 30-5-2016 in connection with Crime No. 14 of 2016, registered at Police Station Chalgali, District Balrampur-Ramanujganj (CG) for the offence punishable under Section 306 of the IPC.
2. As per prosecution case, on 22-3-2016 one Urmila Bai committed suicide by setting herself ablaze. It is alleged that the present applicant who is mother-in-law of the deceased used to torture the deceased as she was patient of Epilepsy and deceased was subject to cruelty and consequently the applicant abetted the deceased to commit suicide and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that the deceased herself was suffering from Epilepsy and the applicant has not abetted the deceased to commit suicide, therefore, no offence has been committed. He would further submit that the applicant has been falsely

implicated in the case, she is in jail since 30-5-2016 and no further investigation is required, therefore, she may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Perused the statements of witnesses Rajendra Ram (PW/2) and Satosh Kumar (PW/3) which shows that they have not supported the prosecution case.
7. Taking into consideration facts and circumstances of the case and further considering the statements of the witnesses, without further observation on the merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju