

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1528 of 2017

1. Tularam Satnami S/o Badri Prasad Aged About 43 Years R/o Chitawar, Chowki- Lawan, Police Station- Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh.
2. Keja Bai Satnami W/o Tularam Aged About 40 Years R/o Chitawar, Chowki- Lawan, Police Station- Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh.
3. Sukwara Bai Satnami W/o Late Badri Prasad Satnami Aged About 65 Years R/o Chitawar, Chowki- Lawan, Police Station- Kasdol, District Baloda Bazar Bhatapara, Chhattisgarh. **--- Applicants**

Versus

- State of Chhattisgarh Through Police Station Kasdol, District Balodabazar Bhatapara, Chhattisgarh. **--- Respondent**

For the applicants	:	Mr. C.R. Sahu, Advocate
For the Respondent	:	Mr. Ashish Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.03.2017

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.07/2017 registered at Police Station Kasdol, Distt. Baloda Bazar-Bhatapara (C.G) for the offence punishable under Sections 498-A, 306 of IPC.
2. As per the prosecution case, one Bharati Bai set herself ablaze on 04.08.2016 and she eventually died on 19.9.2016. It is the case of prosecution that the present applicants alongwith father-in- law mother-in-law and grand mother-in-law have abetted the deceased commit suicide as she was handicapped.
3. Learned counsel for the applicants would submit that during treatment, dying declaration was recorded at Hospital on

07.08.2016 wherein no allegations have been attributed and it is only stated that because she did not prepare and serve the food, as such she was abused by her husband and after losing temper she committed suicide, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents and the dying declaration. Considering the averments made in dying declaration, without any further observation on merits of the case, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**