

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 880 of 2018**

Soniya Yadav W/o Shri Ramkunwar @ Kunwar Yadav, Aged About 60 Years  
Caste Ahir, R/o Village Askala Bhedidand, Police Station Lindra, Outpost  
Raghunathpur, District Surguja Chhattisgarh, District : Surguja (Ambikapur),  
Chhattisgarh **---- Petitioner**

**Versus**

State Of Chattisgarh Through Station House Officer, Outpost Raghunathpur,  
Police Station Lundra District Surguja Chhattisgarh, District : Surguja  
(Ambikapur), Chhattisgarh **---- Respondent**

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| For Applicant        | : | Smt. Indira Tripathi, Advocate |
| For Respondent/State | : | Shri Chandresh Shrivastava, PL |

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

**Order On Board**

**06/04/2018**

Heard.

1. The applicant has been arrested in connection with Crime No.173 of 2017 registered at Police Station- Lundra, Outpost-Raghunathpur, Dist. Surguja (CG) for the alleged commission of offence under Section 306/34 of IPC.
2. Case of the prosecution is that Arti Yadav committed suicide by setting her ablaze and it is alleged that the applicant and other co-accused abated the commission of suicide.
3. Learned counsel for the applicant would submit that the dying declaration of the deceased itself shows that the deceased, in a flash of moment, because she was scolded by her husband, committed suicide. It is submitted that after the suicide took place, prosecution has fabricated a case against the present applicant, who is mother-in-law.
4. On the other hand, learned State counsel opposes the bail application and submits that in addition to what has been stated by the deceased in dying declaration, case diary statement of the mother and father of the deceased show that she was being subjected to torture and harassment since long which resulted in commission of suicide.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the submission of learned counsel for the applicant, based on what was stated by the deceased in her dying declaration as the immediate cause for her to commit suicide and that the investigation is complete, charge-sheet has been filed and there is no material to show that the applicant is likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties 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