

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1374 of 2018

- Smt. Shivbati W/o Shri Balaram Sahu, Aged About 50 Years, R/o.- Village Chhadiya, P.S. Palari, District- Balodabazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer Police Station Palari, District- Balodabazar-Bhatapara, Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant – Ms. Supriya Upasane Advocate.

For Non-applicant/State – Ms. K. Tripti Rao, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 11-11-2017 in connection with Crime No.407/17 registered at P.S. - Palari, District - Balodabazar-Bhatapara, Chhattisgarh for the offence under Section 304B, 34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant, according to the material present in the charge sheet. The applicant is in jail since 11-11-2017 and the trial is pending which is likely to take some time before its conclusion. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that it is a case of suspicious death of a married woman within 7 years of her marriage, hence, no case is made out for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the case of prosecution, marriage of deceased Purnima Sahu was performed in May, 2011 with son of this applicant and the deceased died on 18-10-2017 by self immolating her. Thereafter, inquest procedure was conducted and on the basis of the inquest report, the FIR has been lodged against this applicant and other co-accused.

6. Considered on the material present in the case diary. General statement has been made by the relatives of the deceased against this applicant that she was engaged in demand of dowry before death of the deceased, the marriage of the deceased and other co-accused was almost more than 6 years old, hence, under these circumstances, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge