

HIGH COURT OF CHHATTISGARH, BILASPUR

MISC. CRIMINAL CASE NO. 6765 OF 2017

Smt. Mankunwar Rajwade, W/o Gopal Ram, aged about 50 years (wrongly mentioned as 23 years in the impugned order) Caste Rajwar, R/o village Chikni, PS Chandoura, Tahsil Pratappur, District Surajpur (CG).

... Applicant

Versus

State of Chhattisgarh Through The Police Station Chandoura, District Surajpur, Chhattisgarh.

... Respondent

For Applicant	:	Shri Ashok Shukla, Advocate.
For Respondent-State	:	Shri Ramakant Pandey, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/01/2018

1. This is the first bail application seeking for grant of bail to the Applicant who is in jail since 14.09.2016 in connection with Crime No.55 of 2017 registered at Police Station Chandoura, Distt. Surajpur, for the offence punishable under Section 306/34 IPC.
2. As per prosecution, the applicant is said to have subjected the deceased Sunita Bai by torture and ill treatment which compelled her to commit suicide.
3. Learned Counsel for the applicant submits that even if the entire version of the case diary is accepted, the necessary ingredients to make out an offence under Section 306 IPC more particularly the ingredients to constitute an offence for abetment under Section 107 IPC is not available, and therefore the applicant may be released on bail.
4. On the other hand, the State counsel opposes the bail application and refers the statement of the mother of the deceased wherein it is

said that there is an ill treatment by the present applicant and the co-accused i.e. Husband of the deceased to the extent that they would not eat the food which the deceased used to cook.

5. Considering the facts and circumstances of the case particularly taking into consideration the nature of allegation and the period of custody undergone by the applicant, this Court is of the opinion that the present is a fit case where the Applicant can be enlarged on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for her appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge