

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 1455 of 2018**

1. Tiharu Sahu S/o Santu Sahu Aged About 53 Years R/o- Village-Khati, Police Station- Than Khamhariya, Civil And Revenue District- Bemetara, Chhattisgarh.
2. Tameshwar Sahu S/o Tiharu Sahu Aged About 18 Years Village-Khati, Police Station- Than Khamhariya, Civil And Revenue District- Bemetara, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through- The Station House Officer Police Station- Than Khamhariya, District- Bemetara, Chhattisgarh.

----Non-applicant

For Applicants	:	Ms. Sharmila Singhai, Advocate
For State	:	Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****16/04/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicants, who have been arrested in connection with Crime No. 171/2017 registered at Police Station Than Khamhariya, District Bemetara, Chhattisgarh for the offence punishable under Section 304-B/34 of Indian Penal Code.
2. The present applicants are in jail since 18.10.2017 in connection with the aforesaid Crime number.
3. The applicant No.1 is the father-in-law and the applicant No.2 is the brother-in-law of the deceased Mamta Sahu. It is said that the deceased Mamta Sahu committed suicide by setting herself ablaze on 11.10.2017. The marriage of the deceased with Sukalu took place in the year 2017. It is alleged that the present applicants and the other accused persons are said to have subjected the deceased to

ill-treatment, torture and cruelty on the demand of dowry, on account of which the deceased was forced to commit suicide on 11.10.2017.

4. At this juncture, the counsel for the applicants submits that two persons with identical allegations i.e. the mother-in-law and the sister-in-law of the deceased have already been granted bail by this Court vide MCRC Nos. 7183/2017 & 7334/2017, decided on 18.12.2017. She further submits that since the allegations are identical in nature, the present applicants also deserve grant of bail on the ground of parity. She further submits that even otherwise, the nature of allegation leveled against the present applicants are general in nature and omnibus.
5. The State counsel however opposing the bail application submits that the two persons who have been granted bail, were granted bail on account of the fact that they were lady members and that there are strong allegations against the present applicants along with the other accused persons of ill-treating and harassing the deceased, which ultimately forced her to commit suicide and thus prayed for rejection of the bail application.
6. Having heard the contentions put forth on either side and on perusal of the record, taking into consideration the fact that the identically placed persons have already been granted bail and that the allegations against the present applicants also being similar and that to general and omnibus statements being made, this Court is of the opinion that prima facie a fit case has been made out for grant of bail to the applicants. Accordingly, the present application for grant of bail is allowed.

7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court for their appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge

Ved