

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7016 of 2018**

Yashoda, Aged About 58 Years, W/o Shri Chheduram Nishad, R/o Village Chandi, P. S. Suhela, District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through the Station House Officer, Balodabazar – Bhathapara, Chhattisgarh

---- Respondent

For Applicant.	:	Shri P.K. Patel, Advocate.
For Respondent.	:	Shri Aditya Sharma, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

26/10/2018

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is in custody since 28.07.2018 in connection with Crime No.92/2018 registered at Police Station : Suhela, District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Sections 498A, 304B and 34 of the IPC.
2. As per the prosecution case, on 15.01.2018, the husband of the deceased Gendram Nishad and her Mother-in-law Yashoda started quarreling with her and after some time when deceased was making food in the kitchen, they locked her in the kitchen. Upon this, the deceased started making hue and cry and after getting depressed, she poured kerosene on her,

set herself ablaze and committed suicide. Based on this, the offence was registered against the applicant and she has been arrested on 28.07.2018.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as no demand of dowry has been made by the applicant. He further submitted that the applicant is in custody since 28.07.2018, charge-sheet has been filed and trial will take some more time, therefore, she may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and the fact that the applicant is in custody since 28.07.2018, charge-sheet has already been filed, trial will take some more time, this Court is of the opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed.
8. It is directed that the applicant shall be released on bail on her executing a personal bond for a sum of Rs. 25,000/- with one surety for the like amount to the satisfaction of the Trial Court for her appearance before the Trial Court as and when

directed.

yasmin

Sd/-
(Rajani Dubey)
Judge