

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.7484 of 2018**

1. Murli Mohan Sahu S/o. Late Bajalu Sahu, aged about 51 years,
2. Shribai Sahu W/o Murli Mohan Sahu, aged about 47 years,
3. Kishan Sahu S/o Murli Mohan Sahu, aged about 22 years,

All are R/o Village-Jhumka, Thana-Sarsiva, Distt.-Baloda Bazar-Bhatapara (CG)

---Applicants

Versus

The State of Chhattisgarh, Through Police Station-Sarsiva, Distt.-Baloda Bazar-Bhatapara (CG)

---Non-Applicant

For Applicants	:	Mr.Samir Singh, Advocate
For Non-Applicant	:	Mr.Adi Raj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

31/10/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.146/2018, registered at Police Station-Sarsiva, District-Baloda Bazar-Bhatapara (CG), for the offence punishable under Section 304-B/34 of the IPC.

2. Case of the prosecution, in brief, is that marriage of Rajesh Kumar was solemnized with deceased Narayani Sahu on 4.4.2017 and the applicants and co-accused Rajesh Kumar harassed the deceased on account of demand of dowry and committed cruelty with her and thereby she committed suicide on 5.5.2018.

3. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in

crime in question. He would further submit that there is no allegation against the present applicants and it is only against husband Rajesh Kumar, applicant No.1 is aged about 51 and applicant No.2 is aged about 47 years, they are in jail since 27.8.2018 and charge-sheet has already been filed.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that there is also allegation against the present applicants.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants, the fact that applicants are father-in-law, mother-in-law and brother-in-law of deceased Narayani Sahu and their pre-trial detention, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-