

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7867 of 2018**

Smt. Tanuja Sahu, W/o Kunjbihar Sahu, aged about 23 years, R/o Village Bharda, Post Office & Police Station Magalod, District Dhamtari (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Kurud, District Dhamtari (C.G.).

---- Respondent

For Applicant	:	Mr. Shivendu Pandaya, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

12/11/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 352/2018 registered at Police Station Kurud, District Dhamtari (C.G.) for the offence punishable under Section 304 (B) of the IPC.
2. As per prosecution story, marriage of deceased Malwantin Bai was solemnized with co-accused Kedharnath Sahu on 13/03/2018. On 26/07/2018, the deceased committed suicide by consuming poison. The applicant is Nanand of the deceased. It is alleged that the applicant along with co-accused persons used to harass the deceased on account of demand of dowry and domestic work, therefore, the deceased committed suicide. Merg was lodged by Santram (co-accused), father-in-law of the deceased. After merg inquiry, on the basis of statement of father and other relatives of the deceased,

offence has been registered. The applicant has been taken into custody on 15/08/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. There is no specific allegation against the applicant regarding harassment or demand of dowry. He further submits that the applicant is a married lady, presently carrying pregnancy of 3 months, her 1 ½ years child is with her in jail and trial will take time, therefore, she may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the no specific allegation has been made against the applicant regarding demand of dowry or harassment, she is in jail since 15/08/2018 carrying 3 months of pregnancy and her son 1 ½ years child is with her in jail, without further commenting no merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court, as and when directed.

Sd/-

(Arvind Singh Chandel)
Judge