

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8578 of 2018**

Tilak Bai, aged about 52 years W/o Rajkumar Satnami R/o Village Tipawan, P.S. and Tahsil Palari, District Baloda Bazar Bhatapara (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Palari Balodabazar-Bhatapara, District Balodabazar-Bhatapara (C.G.).

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/11/2018

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. 525/2018 registered at Police Station Palari, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Sections 306, 34 of the IPC.
2. In this case, the Applicant is mother-in-law of Deceased Durpat. The marriage of the Deceased was solemnized with co-accused Kamta Prasad, son of the Applicant in the year 2012. Out of their wedlock, two children were borne. It is alleged that after marriage, the Deceased was subjected to cruelty by her husband as well as the Applicant, and due to that on 21/09/2018 she after pouring kerosene on herself and her two children, committed suicide. Merg intimations were recorded. After merg inquiry, on the basis of statements of

parent and relatives of the Deceased, offence has been registered. The Applicant has been arrested on 10/10/2018.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated. There is no direct evidence against the Applicant. The Applicant is residing separately from his son i.e. husband of the Deceased. He further submits that the Applicant is a lady, she is in jail since 10/10/2018 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 the fact that the Applicant is mother-in-law of the Deceased and there is no direct evidence against her regarding offence, without further commenting on 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 his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge