

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1468 of 2018**

1. Smt. Kalpanarani Mandal W/o Gopal Mandal, Aged About 52 Years R/o Bakrupara, Narayanpur, P.S. Narayanpur, District- Narayanpur, Chhattisgarh.
2. Ku. Lata Mandal, d/o Gopal Mandal Aged About 28 Years R/o Bakrupara, Narayanpur, P.S. Narayanpur, District- Narayanpur, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through the Station House Officer, Police Station- Narayanpur, District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicants : Shri Shailendra Dubey, Advocate.
 For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.11.2018**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.
2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicants who are apprehending arrest in connection with Crime No. 112 of 2018, registered at Police Station – Narayanpur, District Narayanpur, Chhattisgarh for the offence punishable under Sections 306 and 498(A)/ 34 of the Indian Penal Code.
3. It is submitted by counsel for the applicants that they have been falsely implicated in this case. It is submitted that the applicants had never

subjected the deceased to cruel treatment as alleged in the FIR. Both the applicants are women and there is no requirement of their detention in prison and interrogation by the police. As per the information given, the investigation has been completed and the charge-sheet is likely to be filed. Hence, it is prayed that the applicants be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that there is clear evidence against the applicants. Hence, no case is made out for grant of anticipatory bail to the applicants.

5. Heard counsel for both the parties and perused the case diary.

6. According to FIR lodged, the deceased, daughter-in-law of applicant No.1 and sister-in-law of applicant No.2 committed suicide on 24.5.2018 by hanging herself within 7 years of her marriage. Statement has been given by the witnesses that since a daughter was born to the deceased for which she was tortured and also subjected to cruel treatment in other manners.

6. Considering that the investigation is almost complete, there appears to be no requirement of the detention of these applicants and both the applicants are women, therefore, I am of the considered opinion that the applicants deserve to be released on bail.

7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the

aforesaid offence, they shall be released on bail by the Officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. They shall also abide by the following conditions:

- '(i) that the applicants shall make themselves available for interrogation before the Investigating Officer as and when required;
- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.'

Sd/-

(Rajendra Chandra Singh Samant)
Judge