

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 281 of 2019**

1. Sumitra Yadav, W/o. Somaru Yadav, Aged About 50 Years, R/o. Village Puhputra, Tahsil Lakhanpur, Police Station Lakhanpur, District Surguja Chhattisgarh.
2. Chandramani Yadav, W/o. Mithlesh Yadav, Aged About 32 Years, R/o. Village Piparkhar, Tahsil Lakhanpur, Police Station Lakhanpur, District Surguja Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh, Through : The Police Station -Lakhanpur, District Surguja Chhattisgarh.

---- Respondent

For Applicants	: Mr. Anurag Singh, Advocate
For Respondent/State	: Mr. Rahim Ubawani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****06/03/2019**

1. Apprehending arrest in connection with Crime No.215/2018, registered at Police Station – Lakhanpur, District – Surguja (C.G.) for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants, who are only mother-in-law and sister-in-law of the deceased. The main allegation has been made against the husband of the deceased regarding harassment and torturing her and the allegation against these applicants is general and formal in nature. Therefore, it is prayed that the applicants may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. Deceased Anchal Yadav was married to Ravi Yadav on 24.04.2018. The deceased committed suicide by consuming poisonous substance on 24.10.2018. On the basis of morgue enquiry, FIR has been lodged on 13.12.2018 registering the offence against these applicants and other co-accused persons.
6. Considered the submissions made and the contents of the case diary. Considering on the statement given by the mother of the deceased, who has made general allegation against these applicants, whereas, the main allegation is targeted against co-accused Ravi Yadav, hence for this reason, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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 each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants 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 him/her 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram