

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1826 of 2019**

Ganga Bai W/o Jhaduram Aged About 55 Years (Wrongly Mentioned As Gangaram On Order-Sheet), R/o Village- Faraswani Police Station- Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station- Dabhra, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant : Shri Anand Kesharwani, Advocate.
For the Respondent/State : Shri Ghanshyam Patel, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.07.2019**

Heard.

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 applicant who has been arrested in connection with Crime No.366 of 2018, registered at Police Station Dabhra, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Section 306/ 34 of the Indian Penal Code and Section 5 of the Tonhi Pratadna Niwaran Adhiniyam.

2. Learned counsel for the applicant submits that the applicant is in jail since 22.12.2018 and has been falsely implicated in this case. She has not

committed any offence as alleged in the FIR. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that because of the abetment given by the applicant deceased has committed suicide. Hence, no case is made out for grant of regular bail to the applicant.

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

5. Deceased – Sarita was daughter-in-law of this applicant. The deceased had given birth to a daughter. It is alleged that this applicant tortured the deceased for giving birth to a daughter and also called her a sorcerer. The deceased self immolated on 10.6.2018 and she died on the same day. Merg intimation was recorded on 11.6.2018 and on the basis of the merg enquiry, FIR has been lodged on 5.9.2018. Hence, this case.

6. After considering the facts and circumstances of this case, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi