

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 796 of 2019

1. Janki Sahu, D/o Ramnath Sahu, Aged About 22 Years, R/o Village-Beltukari, Police Station- Rajim, District- Gariyaband, Chhattisgarh.
2. Digeshwari Sahu, D/o Ramnath Sahu, Aged About 22 Years, R/o Village-Beltukari, Police-Station-Rajim, District-Gariyaband, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station-Rajim, District- Gariyaband, Chhattisgarh.

---- Respondent

For Applicants : Mr. Raghvendra Pradhan, Advocate.

For Respondent : Mr. Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

29/08/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.93/2019 registered at Police Station- Rajim, District – Gariyaband (C.G.), for the offence punishable under Sections 306, 498-A, 34 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. They have not committed any offence regarding the commission of offence of abetment to commit suicide. The date of incident is 27.5.2018 whereas the FIR has been lodged on 6.4.2019, after about a year which shows that the case is concocted. Both the applicants are young women, hence, it is prayed that they may be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that there is evidence present, that both these applicants used to torture the deceased for simple home affairs, therefore, they are not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. Deceased Mogra Bai was married to Bhimsen Sahu for about 3 years ago on 27.5.2018. She committed suicide by hanging herself. In the morgue statement recorded, it is mentioned that these applicants used to quarrel with deceased for some home affairs. After lodging of FIR, the statement given by the concerned witnesses has been improved.
6. Looking to the fact that the statement has been improved after lodging of FIR and for the reason that these applicants are young women, therefore, I am of this view that applicants should be benefited with grant of anticipatory 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 their executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant 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/their 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

Nisha